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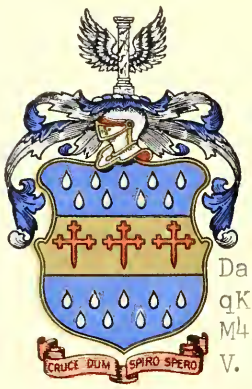

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Massachusetts (Colony) Laws, etc.

THE

ACTS AND RESOLVES,

PUBLIC AND PRIVATE,

OF THE

PROVINCE OF THE MASSACHUSETTS BAY:

TO WHICH ARE PREFIXED

THE CHARTERS OF THE PROVINCE.

WITH

HISTORICAL AND EXPLANATORY NOTES, AND AN APPENDIX.

PUBLISHED UNDER CHAPTER 87 OF THE RESOLVES OF THE GENERAL COURT OF THE COMMONWEALTH FOR THE YEAR 1867.

VOLUME X.,

BEING VOLUME V. OF THE APPENDIX.

CONTAINING

RESOLVES, ETC., 1720-1726.

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RESOLVES, ORDERS, VOTES, ETC.

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LEGISLATIVE LIST[1]

FOR

1720–21.

His Excellency SAMUEL SHUTE,

Captain-General and Governor-in-chief, etc.

JOSIAH WILLARD, Esq.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.[2]

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

William Dummer	Esqrs.	Addington Davenport	Esqrs.
William Tailer		Thomas Hutchinson	
Samuel Sewall		Samuel Brown	
Penn Townsend		Thomas Fitch	
John Appleton		Jonathan Belcher	
Samuel Partridge		Jonathan Dowse	
Edward Bromfeild		Samuel Thaxter	
Nathaniel Norden		John Burril	
Benjamin Lynde			

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

Isaac Winslow, John Cushing & John Otis, Esqrs.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Main;

John Wheelwright, Joseph Hammond & Charles Frost, Esqrs.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

Paul Dudley, Esq.

[1] See Legislative Records of the Council, xi., 5–9.

[2] John Clark of Massachusetts Bay, and Nathaniel Byfield of Plymouth, elected by the House of Representatives, were rejected by the Governor.

For the Province, at large: —

NATHANAEL PAYNE & EDMUND QUINCY, ESQRS.

REPRESENTATIVES OR DEPUTIES.

July 13, 1720 to May 31, 1721.

MR. TIMOTHY LINDALL, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
Elisha Cook, Esq.,
Oliver Noyes, Esq.,
Mr. William Clark.
Roxbury, . . William Dudley.
Dorchester, . . Lieut. Col. Robert Spurr.
Milton, . . . Mr. Ephraim Tucker.
Brantrey, . . Major John Quincy.
Weymouth, . . Mr. John Torrey.
Hingham, . . Mr. Lazarus Beal.
Dedham, . . Mr. Joseph Ellis.
Medfeild, . . Mr. Joseph Plimpton.
Mendon, . . . Josiah Chapin, Esq.
Wrentham, . . Mr. Ebenezer Fisher.
Woodstock, . . John Chandler, Esq.
Oxford, . . . Capt. Richard Moor.
Brooklyn, . . Mr. Josiah Winchester.

COUNTY OF ESSEX.

Salem, . . . Mr. Timothy Lindall,
Capt. John Gardner.
Lynn, . . . Mr. Richard Johnson.
Ipswich, . . . John Wainwright, Esq.,
Mr. Nathaniel Knolton.
Newbury, . . Henry Somersby, Esq.,
Capt Thomas Hale.
Beverly, . . . Capt. Joseph Herrick.
Wenham, . . Mr. John Gott.
Topsfeild, . . Mr. Tobijah Perkins.
Andover, . . Mr. Nehemiah Abbot.
Bradford, . . Capt. Richard Kemball.
Haverhill, . . Mr. John Saunders.
Boxford, . . . Mr. Joseph Hale.
Rowley, . . . Mr. Timothy Harris.
Salisbury, . . Mr. William True.
Marblehead, . Mr. William Stacey.
Amesbury, . . Capt. John Foot.
Glocester, . . Mr. James Sayward.

COUNTY OF MIDDLESEX.

Cambridge, . . Mr. Andrew Boardman,
Capt. Ebenezer Austin.

COUNTY OF MIDDLESEX — *Concluded.*

Charlestown, . Capt. William Rouse.
Watertown, . . Jonas Bond, Esq.
Newton, . . . Capt. Ebenezer Stone.
Sudbury, . . Hopestill Browne, Esq.
Marlboró, . . Capt. Peter Rice.
Sherburne, . . Mr. Eleazer Holbrook.
Lancaster, . . Mr. Joseph Wilder.
Framingham, . Mr. Jonathan Rice.
Groton, . . . Capt. Jonas Prescott.
Concord, . . . Mr. Benjamin Whittamore.
Clemsford, . . Mr. Stephen Peirce.
Bellerica, . . Oliver Whiting, Esq.
Woburn, . . . Mr. Samuel Walker.
Reading, . . Mr. John Browne.
Malden, . . . Mr. John Greenleaf.
Lexington, . . Mr. Francis Bowman.
Weston, . . . Francis Fulham, Esq.
Medford, . . Thomas Tufts, Esq.
Stow, ... Mr. Jacob Stevens.
Leicester, . . John Menzies, Esq.

COUNTY OF HAMPSHIRE.

Springfeild, . Luke Hitchcock, Esq.,
John Stoddard, Esq.
Northampton, . Capt. Ebenezer Pomroy.
Hadley, . . . Mr. John Nash.
Hatfeild, . . Mr. John Dickenson.
Westfeild, . . Mr. Thomas Noble.
Suffeild, . . . Mr. John Austin.
Ennfeild, . . Capt. Samuel Terrey.
Deerfeild, . . Capt. Thomas Welles.

COUNTY OF PLIMOUTH.

Plimouth, . . Mr. John Forster.
Scituate, . . . Mr. Stephen Clap.
Marshfeild, . . Isaac Little, Esq.
Duxborough, . Mr. John Wadsworth.
Bridgwater, . Mr. Richard Davenport.
Rochester, . . Mr. Samuel Sprague.
Middleboró, . . Mr. Samuel Barrow.
Plimpton, . . Mr. Benoni Lucas.
Pembrook, . . Mr. Thomas Barker.

County of Barnstable.

Barnstable, . . Shubal Gorham, Esq.
Sandwich, . . Melitiah Bourne, Esq.
Yarmouth, . . Mr. Joseph Hall.
Eastham, . . Mr. Samuel Knowles.
Harwick, . . Mr. John Gray.
Truroe, . . . Mr. Thomas Mulford.

County of Bristol.

Bristol, . . . Capt. William Throop.
Taunton, . . Mr. Robert Crosman.
Swanzey, . . Mr. William Salisbury.
Rehoboth, . . Mr. Daniel Carpenter.
Little Compton, Mr. Sylvester Richmond.
Dighton, . . . Mr. Benjamin Crane.
Tiverton, . . Mr. Gershom Woodall.
Attleborô, . . Mr. Daniel Freeman.
Norton, . . . Mr. Samuel Hodges.

County of Bristol — *Concluded.*

Barringtown, . Mr. Zechariah Bignall.
Dartmouth, . . Mr. John Akin.
Freetown, . . Mr. Samuel Forman.

County of York.

York, ... Mr. Samuel Came.
Kittery, . . . Capt. William Pepperil.
Berwich, . . Elisha Plaisted, Esq.
Welles, . . . Mr. Francis Sawyer.
Falmouth, . . Samuel Moodey, Esq.

Dukes County.

Chilmark, . } Payne Mahew, Esq.
Tisbury, . . }

Nantucket.

Sherburne, . . George Bunker, Esq.

RESOLVES, ORDERS, VOTES, ETC.

Passed at the Session begun and held at Boston, on the Thirteenth Day of July, A.D. 1720.[1]

CHAPTER 1.

RESOLVE ALLOWING £6. 2 TO CAPT. JOHN GARDNER TO DISCHARGE PEREZ WEBB'S ACCT.

An Accompt presented by Perez Webb of Salem of his Charge in Diet Lodging Medicines & Attendance of one Hughs, a Stranger lately come into the Countrey, who died at Salem, And of the Charge of his Funeral also, Amounting to the Sum of £6. 2 Certified by the Select Men of the said Town

Legislative Records of the Council, xi., 12.

House Journal, p. 5.

[Read and]

Resolved, That the Sum of Six Pounds two shillings, be allowed & paid out of the publick Treasury to Cpt. John Gardner to discharge the said Accompt. [*Passed July 15.*

CHAPTER 2.

RESOLVE FOR THE TREASURERS SELLING 100 BARRELS OF GUN POWDER.

Resolved that the Treasurer be & hereby is directed to dispose of One hundred Barrels of Gun Powder that belongs to this Province at the best Rate he can ; The Produce thereof to be applied for & towards the Calling in Part of the Seventeen Thousand Pounds of Bills of Publick Credit, that are to be called in this Year, So far as that will go. [*Passed July 15.*

Legislative Records of the Council, xi., 12.

House Journal, p. 5.

CHAPTER 3.

RESOLVE FOR AN ALLOWA TO CPT. TUTHILL FOR VICTUALLING THE GARRISON AT CASTLE WILLIAM.

A Memorial of Cpt. Zechariah Tuthill, Victualler to his Majesty's Castle William, Shewing that the Honbl General Court At their Session in June 1719. were pleased to order the Memorialist six Shillings ℘er Man ℘er week, for victualling the Soldiers at the said Castle for the year ensuing, which is now expired, And humbly Praying that this Honbl Court would continue the same another Year, He being at a great Expence by Strangers coming so frequently to see the Castle, And Pro-

Legislative Records of the Council, xi., 12.

House Journal, p. 5.

Province Laws, ix., 655, chap. 15.

[1] The May session, which lasted but five days, contains no legislation proper, and was prorogued.

visions & Cloathing having been so extraordinary dear for many years past, That his Wages has not supported him.

Read &

Resolved that Five shillings & Six pence ℘ per Man ℘ per Week be allowed & paid out of the publick Treasury to Cpt Zechariah Tuthill the Memorialist for victualling the Garrison at Castle William for the year currant, beginning at the Expiration of the last Order of this Court on that Affair. [*Passed July 15.*

CHAPTER 4.

ORDER ALLOWING THE TREASURER OF MIDDLESEX'S ACC^T.

Legislative Records of the Council, xi., 13.

House Journal, p. 6.

AN ACCOMPT presented by Mr Daniel Russel Treasurer of the County of Middlesex from Decr 1718 to April 12. 1720, Allowed by the General Sessions of the Peace

[Read and]

Ordered that the s^d Accompt be Allowed. [*Passed July 16.*

CHAPTER 5.

ORDER ALLOWING THE TREASURER OF PLIMOUTH'S ACC^T.

Legislative Records of the Council, xi., 13.

House Journal, p. 7.

AN ACCOMPT of John Dyer Treasurer of Plimouth from March 7th 1718 to March 12th [1] 1719, Being allowed by the Court of General Sessions of the Peace for the said County,

[Read and]

Ordered that the s^d Accompt be allowed. [*Passed July 16.*

CHAPTER 6.

ORDER ALLOWING THE TREAS^R OF HAMPSHIRE HIS ACC^T.

Legislative Records of the Council, xi., 14.

House Journal, p. 7.

AN ACCOMPT presented by Pelitiah Glover Treas^r of the County of Hampshire for the Year past, Allowed by the General Sessions of the Peace.

Read &

Ordered that the s^d Accompt be allowed. [*Passed July 16.*

CHAPTER 7.

ORDER ALLOWING THE TREAS^R YORK HIS ACC^T.

Legislative Records of the Council, xi., 14.

House Journal, p. 7.

AN ACCOMPT presented by Abraham Prebble, Treas^r of the County of York from April 9. 1719 to April 5. 1720, Being allowed by the Court of General Sessions of the Peace for the said County,

Read &

Ordered that the s^d Accompt be allow'd. [*Passed July 16.*

[1] March 3 in State Library copy, Legislative Records of the Council, xi., 14.

CHAPTER 8.

ORDER ALLOWING THE TREAS^R OF BARNSTABLE'S ACC^T.

An Accompt presented by Ebenezer Lewis Treas^r for the County of Barnstable from April 1719 to April 1720, Being allowed by the Court of General Sessions for the said County,

Legislative Records of the Council, xi., 14.

House Journal, p. 7.

[Read and]

Ordered that the said Accompt be Allow'd. [*Passed July 16.*

CHAPTER 9.

ORDER ALLOWING THE TREAS^R OF DUKES CO. HIS ACC^T.

An Accompt presented by Eben^r Allen, Treas^r of Dukes County from July 6 1718 to March 30. 1720, Allowed by the Court of General Sessions of the Peace for the said County.

Legislative Records of the Council, xi., 14.

House Journal, p. 7.

[Read and]

Order'd that the said Accompt be allowed. [*Passed July 16.*

CHAPTER 10.

RESOLVE ALLOWING £40 FOR SUPPORT OF THE MINISTRY AT BIDDEFORD.

Resolved That the Sum of Forty Pounds be allowed & paid out of the publick Treasury, towards the Support of the Ministry at Biddeford. [*Passed July 16.*

Legislative Records of the Council, xi., 14.

House Journal, p. 7.

CHAPTER 11.

RESOLVE GRANTING ANN TAYLOUR'S PETITION FOR REMITTING THE IMPOST ON NEGROES.

A Petition of Ann Taylour of Boston Widow, Shewing that She being left at Jamaica a Widow with five small Children, was unable to support her self & Family there, And therefore returned to Boston the Place of her Nativity & brought with her two Negro Men & two Negro Women & their five young Children, the eldest of them not being more than eight years old & two of them being at the Breast, That She keeps the Women to look after her Children, and that the Negroe Children will sell but for very little, That She is informed the Law obliges her to pay a Duty of Four pounds ℔head for the Children, as well as for the other Negroes, wch if she had known, she would not have brought the Children with her, And therefore Praying in Consideration of the Premises, That this Court would please to remit or forgive, to the Petitioner the Duty arising upon the Importation of the said Negroes.

Legislative Records of the Council, xi., 15.

House Journal, p. 7.

[Read and]

Resolved that the Prayer of this Petition be granted. [*Passed July 16.*

CHAPTER 12.

RESOLVE ALLOWING £20 TO LUKE VARDY.

Legislative Records of the Council, xi., 16.
House Journal, p. 9.

AN ACCOMPT presented by Luke Vardy of Dining the House of Representit^es the last day of Election of Councellours; amounting to £22. 18.

[Read and]

Resolved that the Sum of Twenty Pounds, be allowed & paid out of the publick Treasury to Luke Vardy the Accomptant in full of the said Accompt. [*Passed July 18.*

CHAPTER 13.

RESOLVE ALLOWING £7 TO JOHN COTTON FOR LOSS OF BILLS OF CREDIT.

Legislative Records of the Council, xi., 16.
House Journal, p. 10.

A PETITION of John Cotton of Newton Clerk, Shewing that on the twenty fourth day of last March, his Dwelling House in the said Town catch'd Fire, & It being a dry & windy time was soon burn'd down to the Ground, And the greatest part of the Petitioners Household Stuff Books & Stores were consumed, And among other Things, a Desk wherein was one Five pound, & two Twenty shilling Bills of Credit of this Province, Which the Petitioner saw & left therein on the Morning of the said Day, And his Wife being able to testify, that neither his Desk nor anything in it were saved, And therefore humbly Praying That this Honb^l Court would grant him the Sum of Seven pounds out of the publick Treasury, in consideration of his Loss of the Bills of Credit on this Province.

Read &

Resolved that the Prayer of this Petition be granted. [*Passed July 19.*

CHAPTER 14.

RESOLVE ALLOWING THE TREAS^R OF SUFFOLK'S ACC^T.

Legislative Records of the Council, xi., 16.
House Journal, p. 10.

AN ACCOMPT of Samuel Chickley Treas^r of the County of Suffolk from May 10. 1719 to May 20. 1720, Having been allowed by the Court of General Sessions of the Peace for the said County,

[Read and]

Resolved that the s^d Accompt be allow'd. [*Passed July 19.*

CHAPTER 15.

RESOLVE ALLOWING THE TREAS^R OF ESSEX HIS ACCOMPT.

Legislative Records of the Council, xi., 17.
House Journal, p. 10.

AN ACCOMPT of John Appleton Esq. Treas^r of the County of Essex, beginning Jany 5. 1718 & Ending Oct 23. 1719. Having been examin'd & allowed by the Court of General Sessions of the Peace for the s^d County.

[Read and]

Resolved that this Accompt be allowed. [*Passed July 19.*

CHAPTER 16.

ORDER ON MILTON PETITION FOR BUILDING A NEW MEETING HOUSE.

A Petition of the Freeholders & other Inhabitants of the Town of Milton, Shewing that the People of the said Town are so far increased, That they find it necessary to build a new Meeting,house for the publiek Worship of God, The present Meeting House being small & not well accomodated for that Service; That after several publick Meetings & Debates, what Place would be most commodious to erect the same on, It was Voted in a Town Meeting held May 6. 1720, to refer the Matter of placing the intended Meeting House to this Honb^l Court, And therefore humbly Praying that this Court would, take the Affair under their Consideration, & Appoint & Impower a Committee to determine, where the said Meeting House shall stand, that so Peace & good Agreement may be preserved in the said Town, & they may be the better accommodated to attend on the publiek Worship.

Legislative Records of the Council, xi., 18.

House Journal, p. 14.

In the House of Representitives, Read &

Ordered that the Prayer of the Petition be granted, And that John Clark Esq. Major Jonas Bond & Mr Andrew Boardman with such as the Honb^l Board shall appoint be a Committee to perform the Service & make Report to this Court, The Town to bear the Charge of the Committee.

In Council; Read and Concur'd, And the Honb^l Penn Townsend & Thos Fitch Esq^rs are joined in the Affair. [*Passed July 19.*

CHAPTER 17.

ORDER ALLOWING THE TREAS^R OF BRISTOL HIS ACC^T.

An Accompt of Nathanael Payne Esqr Treas^r of the County of Bristol from July 12. 1719 to May 10. 1720, Having been allowed by the Court of General Sessions of the Peace for the said County.

Legislative Records of the Council, xi., 20.

House Journal, p. 15.

[Read and]

Ordered that this Accompt be allowed. [*Passed July 20.*

CHAPTER 18.

RESOLVE ACCEPTING THE COMMITTEE'S REPORT AB^T THE LINE BETWEEN WRENTHAM AND ATTLEBORÔ.

Samuel Thaxter Esq^R from the Committee appointed by the General Assembly at their Session held Novr 4. 1719: To run ye Divisional Line between the Towns of Attleboro' & Wrentham, Gave in the following Report, vizt

Legislative Records of the Council, xi., 21.

House Journal, p. 15.

Province Laws, ix., 685, chap. 90.

Infra, chap. 19.

We the Subscribers together with William Basset Esqr being a Committee to Inquire into, Run & Settle the Line or Bounds of Wrentham & Attleborough from Angle Tree to Pantucket River, And having accordingly notified the said Towns & Dorchester, And Begun at the said Angle Tree, well known to be the very Tree anciently Markt by the Commissioners of the Colonies of the Massachusetts Bay & Plimouth, and on Record in the Secretary's Office, We ran a West Line according

to the Magnet, Allowing ten Degrees Variation, & Met with several Markt Trees, & We made Others so, where the old ones were not thick enough, & came on a black Oak near the Bank of the said River, mentioned in the Return of the aforesaid Commissioners thus Markt, On the East Side 1664, South Side P : I W, C S, R S; On the North Side M : E L, R G, I F, Being the first Letters of the Christian & Sir Names of the Commission^rs & the Date when they did the same, being under the Bark of the said Tree at least four Inches, yet when the Tree was chip'd very plain to be read, And nearer the River in this Line, under the Hill or Bank, We mark'd a White Oak thus, East Side 1720, S T, WD, South Side P A, North Side M B, We found the whole Line exactly to Agree with the Return of the first Commissioners in 1664, And therefore conclude it the only proper Bounds of Attleborough on the South Side & Dorchester in part, Wrentham in part & Bellingham in part on the North

SAM^L THAXTER
W^M DUDLEY

May 18 1720

Read &

Resolved that this Report be Accepted & that the Line be settled & established accordingly. [*Passed July 20.*

CHAPTER 19.

RESOLVE ALLOWING £4. 15 TO DISCHARGE THE ACC^T OF THE SOUTH LINE COMMITTEE'S EXPENCES.

Legislative Records of the Council, xi., 21.

House Journal, p. 15. *Supra*, chap. 18. *Infra*, chap. 20.

AN ACCOMPT presented by the said Samuel Thaxter Esqr of the Expence of the said Committee &c in Running the said Line, Amounting to the Sum of Four pounds fifteen shillings.[1]

[Read and]

Resolved that the Sum of Four pounds, fifteen Shillings, be allowed & paid out of the publick Treasury to the said Committee to defray their Charge. [*Passed July 20.*

CHAPTER 20.

RESOLVE ALLOWING £4 ON ACC^T OF SOUTH LINE COMMITTEE'S EXPENCES.

Legislative Records of the Council, xi., 23.

House Journal, p. 15. *Post*, p. 13, chap. 22.

SAMUEL THAXTER ESQ^R likewise [having] presented An Accompt of the said Committees Expences in the said Survey,[2] Amounting to the Sum of Four pounds.

Resolved that the Sum of Four pounds be allowed & paid out of the publick Treasury to the Comm^te to defray their Charges. [*Passed July 20.*

[1] "Saml Thaxter & Willm Dudley Esq^rs a Com^tee appointed by ye Court to run ye Line between Wrentham & Attleborô." — Executive Records of the Council, vii., 163.

[2] Of Perigrine White's Farm. — See *post*, p. 13, chap. 22.

CHAPTER 21.

VOTE FOR A TAX OF SIX THOUSAND POUNDS ONLY.

Legislative Records of the Council, xi., 22.

House Journal, p. 10. Province Laws, ii., 196; ix., 362, chap. 47; 377, chap. 98; 538, chap. 50.

Voted that Six thousand Pounds only of the Seventeen thousands Pounds, granted in the Year 1714 & 1717, be levied & raised on Polls & Estates, And that the Duties of Impost & Tunnage of Shipping with the Income of the Bills lent out, the Light House &c, be a Fund & Security for the drawing of the remaining Eleven thousand Pounds. [*Passed July 20.*

CHAPTER 22.

ORDER OF HEARING ON COMTES REPORT ABT PERIGRINE WHITES FARM.

Legislative Records of the Council, xi., 22.

Legislative Records of the Council, x., 425. House Journal, p. 15. Province Laws, ix., 657, chap. 20.

The Committee for viewing the Bounds of Perigrine Whites Farm of Two hundred Acres near Bridgwater & Reporting what Countrey Land near that Place was not granted, Having measured said White's Farm find the same to contain upward of Six hundred Acres according to the pretended Bounds thereof, And Notwithstanding the great Overplus Measure above the Grant, yet the Assignees of the said White insist on & would have a greater Quantity lying between the old & new Colony Line of Seven hundred Acres more; All which we have represented by the annex'd Platt for Consideration, This last mentioned Land lies between Brantrey, Bridgwater & Dorchester, & the County of Plimouth according as the County Bounds are now confirmed.

Samuel Thaxter
William Dudley

March 14. 1719, 20

Read &

Ordered that the Assignees of Perigrine White & the Inhabitants of the Town of Brantrey, that may be concerned therein, may be heard upon this Report, before the Court proceed thereon, (If they see meet) upon the second Wednesday of the next Session. [*Passed July 20.*

CHAPTER 23.

VOTE FOR A PRESENT TO THE PENOBSCOT INDIANS.

Legislative Records of the Council, xi., 24.

Legislative Records of the Council, xi., 18. House Journal, p. 18.

William Tailer & Thomas Fitch Esqrs went down to the House of Representitives, on the following Message: vizt

The Board are of Opinion, That it would be for the Honour & Service of the Governmt & the Advantage of the Eastern Settlements, If the Indians that are now in Town from Penobscot be encouraged with a small Present, especially since the Commissioners that were at the Eastward last Winter assured them of the Favour of the Government.

Upon further Consideration & Representation, That the Indians proposed to have a Present made to them, are Penobscot Indians, Who have distinguished themselves of late Years by a more dutiful & peaceable Behaviour;

Resolved that some Presents [be][1] made to them, to the Value of Ten pounds, & be paid out of the publick Treasury. [*Passed July 21.*

[1] Inserted from the State Library copy, Legislative Records of the Council, xi., 25.

CHAPTER 24.

ORDER ON LEICESTER PETITION IN REGARD TO A TAX FOR FINISHING THE MEETING HOUSE.

Legislative Records of the Council, xi., 24.

House Journal, p. 17.

A PETITION of William Dudley Esqr for & on behalf of the Town of Leicester, Shewing that the said Town on the ninth Day of March last, being legally warn'd to raise Money to defray Town Charges, which are arisen or may arise in Finishing the Meeting House & Doing what is necessary to be Done.

Voted that the Sum of Five shillings be raised & levied on each Pole or Head in the Town, & the sum of Two pence on each Acre of Land both divided & undivided, in the said Town of Leicester be levied by the Select Men & both these Rates to be made, as soon as may be in order to Pay the Debts of the Town & to defray other coming & necessary Charges, And to the End that the said Vote may not be utterly ineffectual (The Town at present not having the Power, without Liberty from this Hon^b^l Court to put it in Execution) Humbly Praying that the said Vote may be ratified & confirmed, And the Select Men & other Officers impower'd to do what shall be proper, & convenient to be done in pursuance thereof, in Order that the said Tax may be levied & collected & paid into the Town Treasurer, to Answer the End & Uses above said.

Read &

Ordered that the Prayer of this Petition be granted. [*Passed July 21.*

CHAPTER 25.

VOTE TO ENCOURAGE THE APPREHEND^G MONS^R RALLE.

Legislative Records of the Council, xi., 25.

In the House of Representit^ves

This House being credibly informed, That Monsr Ralle, the Jesuit residing among the Eastern Indians, has not only on several Occasions of late affronted his Majesty's Government of this Province, but also has been the Incendiary that has instigated & stirr'd up those Indians to treat his Majesty's Subjects setling there, in the abusive, insolent & hostile manner that they have done;

Resolved that a Premium of One hundred pounds be allowed & paid out of the publick Treasury to any Person that shall apprehend the said Jesuit within any part of this Province & shall bring him to Boston, & Render him to Justice.

In Council, Read & Concur'd. [*Passed July 21.*[1]

CHAPTER 26.

ORDER FOR LEVYING A TAX ON LANDS OF NON-RESIDENTS OF OXFORD.

Legislative Records of the Council, xi., 25.

House Journal, p. 18. Province Laws, ix., 597, chap. 23.

A PETITION of Richard More, Representative of the Town of Oxford in behalf of the said Town, Shewing that altho' the General Court have already countenanced their Proceedings, to encourage the publick Worship of God, the resident Inhabitants are not yet able without some

[1] No reference to this action appears in the House Journal. At a later date action of the House of Representatives is recorded, offering a reward of £200 for the arrest of M. Rallé. — House Journal, December 9, 1720, and November 15, 16, 17, 1721, *post*, chap. 63.

further Assistance, to bear the Charges of supporting a Minister among them, And therefore humbly Praying that the Non Resident Proprietors, who have great Tracts of Land within the said Town which will be much advanced, & rendered more valuable by the Setlem^t of an Orthodox Minister may be obliged by an Order of this Court, to do such part as shall be tho't reasonable towards the Maintenance of such a Minister, & other necessary Charges of the like Nature.

Read & in Answer to this Petition,

Ordered that the Select Men or Assessors of the said Town of Oxford be and hereby are Impower'd to levy a Tax upon the Lands of the Non Resident Proprietors after the Rate of Twenty Shillings per Annum on each Thousand Acres during the whole Term of Three Years after this present Session to be employed for & towards the Maintenance of a pious & Othordox Ministry among them & for no other Uses. [*Passed July 21.*

CHAPTER 27.

ORDER ON REPORT ABOUT PRINTER GREEN'S FARM.

We the Subscribers being appointed a Comm^te by the Honb^l House of Representat^ves Sitting at Boston November 10. 1719. to Investigate, Discover & settle the Bounds of Printer Green's Farm, now claimed by John Baker[1] & others, Pursuant to the Original Grant & Platt thereof Exhibited to said House, And to Notify the Owners of said Land, that they might be present, If they see cause, And make Report of our Doings to said House.

Legislative Records of the Council, xi., 27.

House Journal, p. 39 (1719); p. 9.

Pursuant thereunto we notified the Owners of said Land, & accordinly we met the tenth of May 1720, And We began at Merrimack River & ran up Haverhill old Line, up to and by said Farm, And we found many fair Marks on said Line; Then we began at the North Pond, & Ran North Easterly by an old Line of Trees mark'd, One hundred & forty Pole to an Heap of Stones, And then we turned & ran by the Point assign'd in the Platt or Record. And we ran Four hundred & four. Pole, which reach'd to Haverhill Line, And there were several fair mark'd Trees, in this Line, And this Line led us to a Hole in the Ground, where We count a Tree had stood in Haverhill Old Line, Then we ran Southerly in Haverhill Line, One hundred Pole & sett up a Stake & Stones, Then we turned Westerly & Ran Ninety two Pole to a Ring of Stones round a Hole in the Ground near to New found Pond, All which we count is the Bounds that said Farm was laid out by, at the Original Laying out by Cpt. John Danforth, And within these Bounds is contained Three hundred & fifty eight Acres, The Grant was Three Hundred.

(Sign'd) Joseph Burnap
Samuel Jones

Read, And,

Ordered that this Report be so far Accepted, That the Bounds of Printer Green's Farm, be allowed & Confirm'd, to the Assigns of the said Printer Green as described herein, Provided they lay out a convenient High Way through the same to the Province Lands adjoining, And pay the Charge of the Committee, that made this Report, And further

Ordered that Cpt. John Gardner be appointed to lay out to the Heirs of the Honb^l John Higginson Esqr so much Land of the Province Land

[1] "Barker" in State Library copy, Legislative Records of the Council, xi., 27.

adjoining, as he shall find is defalced out of a Tract of Land, that was laid out to the said Higginson, by the Accepting & Confirming this Report. [*Passed July 22.*

CHAPTER 28.

RESOLVE FOR EMITTING £5,000 IN BILLS OF CREDIT AND ORDER FOR REC^G THE TAX IN SEVERAL SPECIES OF GOODS.

Legislative Records of the Council, xi., 27.

House Journal, p. 17. Province Laws, ii., 199.

Resolved That the Treasurer be & hereby is Directed to issue forth & Emit the Sum of Five thousand pounds of the Bills of Publick Credit that are or shall be received into the Treasury, For Payment of the publick Debts of the Province already contracted for the Defence & Support of the Government, & the necessary Protection & Perservation of the Inhabitants of this Province, & for the Forts & Garrisons & the Wages arising for their Service. For the Payment of Grants Salaries & Allowances made & to be made by this Court, According to such Draughts as from Time to Time shall be made upon him by Warrant or Order of the Governour or Commander in Cheif, for the Time being, by & with the Advice & Consent of the Council, And the said Bills shall pass out of the Treasury at the Value therein express'd equivalent to Money, & shall be so taken & Accepted in all publick Payments.

And as a Fund & Security for the same, There be & hereby is Granted to his most Excellent Majesty to the Ends & Uses aforesaid a Tax of Five thousand Pounds to be levied upon Polls & Estates, both real & personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May One thousand seven hundred & twenty four, & Paid into the Treasury the last of December next after;

And whereas through the Scarcity of Bills of Publick Credit, It grows difficult for Persons to convert the Produce of their Lands & other Effects into Bills & Pay their Rates in them;

It is further

Ordered that the Inhabitants of this Province shall have Liberty (if they see cause) to pay the several Sums which shall be on them respectively Assess'd in the several Species hereafter mentioned, At such Rates & Prices as the General Assembly shall set them, Viz^t In good Barrel-Beef or Pork, Or in Wheat, Pease Barley, Rye, Indian Corn, Oats, Flax, Hemp, Beeswax, Butter in Ferkins, Cheese Hides, Tann'd Leather, Dry Fish, Mackrel in Barrels, Oyl, Whale-bone, Bayberry Wax, or Tallow; Which Species shall be receiv'd by the Treasurer of the several Constables & Collectors, to be by him disposed of; to the best Advantage for the Calling in of the said Bills into the Treasury; And if any Loss by the Sale of the aforesaid Species or by any other unforeseen Accident shall arise, Then such Difficeinces, shall be made good by a Tax of the Year next following; So as fully & effectually to call in the whole Sum of Five thousand Pounds of Bills Emitted as afores^d. [*Passed July 22.*

CHAPTER 29.

ORDER ON ELIZ^A CARDER'S PETITION, COMPLAINING OF A JUDGMENT.

A Petition of Elizabeth Carder Daughter of Eliz^a Lemmon (late Elizabeth Willis) of Boston dec^d Shewing, That Anthony Haywood of Boston Merch^t did on the seventh of August 1688, by a certain Obligation become bound to the s^d Elizabeth Lemmon, in the penal Sum of Two hundred & forty pounds, Condition'd for the Payment of One hundred & twenty pounds with Interest, Which Sum of Money was put into his Hands as Feoffee in Trust for the said Elizabeth Lemmon, To be kept by him until her Daughter the Petitioner should arrive at the Age of Twenty one years, or until the time of her Marriage, Which of the two should first come, That the said Anthony Haywood having by his Will appointed Charles Lidgett & Francis Foxcraft Esq^rs his Executors, soon after died, That afterwards An Action of Debt was Commenced by the Father in Law & Mother of the Petitioner on the said Bond, but Judgment went against the Plaintiffs, The Petitioner not being then of Age, That in the year 1694, The Petitioner's Father & Mother being bound to the Island of Jamaica were taken by a French Privateer, And the said Original Bond with other Papers were then destroyed & lost, And the Petitioner is hereby render'd unable to sue in the Course of the Common Law, Though She has made a Voyage from London at great Expence for that purpose, And that Francis Foxcraft Esqr is fully perswaded, that the said Bond is justly due to the Petitioner & ought to be paid, And therefore Humbly Praying That She may be Enabled by An Act of this Court to commence an Action; on an authentick Copy, of the said Bond, taken out of the Court Records.

Legislative Records of the Council, xi., 29, 30.

House Journal, p. 22. Province Laws, vi., 113, chap. 47.

Read &

Ordered that the Petitioner be enabled to commence an Action on an Authentick Copy of her Bond from the Court of Records And She have leave to bring in a Bill accordingly. [*Passed July 23.*

CHAPTER 30.

ORDER ON MERCY VEERING'S PETITION FOR SALE OR MORTGAGE OF LAND.

A Petition of Mercy Veering (Relict of John Veering late of Boston Sail-Maker) Thomas Veering Marriner, & Mary Buckley Widow (only surviving Children of the said John & Mercy Veering) Shewing that James Wiseman dec^d did in his Life time, by a good Deed of Gift, give unto his Son in Law the said John Veering, a small peice of Land scituate in Boston, together with a Dwelling House standing thereon (Which the said John Veering built at his own Charge before the said Deed was made) To Hold the said Land & Dwelling House wth Appurtances thereto belonging to him the said John Veering & the Petitioner Mercy his then Wife, & the Children of their Bodies, lawfully begotten or to be begotten for Ever, So that by Vertue of the said Deed the said House & Land belongs to the Petitioner Mercy during her Life & after her Death will become the Estate of the other Petitioners & the Children of their Eldest Brother John Veering dec^d But for as much as the said House is gone very much to Decay & that it cannot be Inhabited without some considerable Cost in Repairs, And

Legislative Records of the Council, xi., 17, 31.

House Journal, pp. 21, 22.

the Petitioner Mercy is now old & has nothing left for her Support but the said House & Land, which are of no Service to her in their present Condition, And unless She can have Liberty to sell or mortgage the same, And therefore Praying that this Honb^l Court, would Impower the Petitioners to dispose of the said old House & Land, (Which is not worth above One hundred Pounds) or Mortgage the same for the Support & Maintenance of the Petitioner Mercy, The Remainder after her Decease to be divided among the Children & their Representitives.

Read &

Ordered That the Prayer of the Petition be so far granted, That the Petitioners by & with the Approbation of Deacon John Marion, Deacon Samuel Marshal, & Deacon Edward Procter, be & hereby are impower'd to make Sale of the said House & Land, One third part & porportion of the Money or Produce of the Sale of the said House & Land, being reserved for the Use of the Children of the said John Veering Dec^d & Applied to & for their Use, The other two Thirds, to be disposed of & divided, between the Widow & the other two Petitioners either as they shall agree among themselves, or as the Trustees before named shall judge reasonable. [*Passed July 23.*

CHAPTER 31.

VOTE FOR THE TREASURER'S DISCHARGE.

Legislative Records of the Council, xi., 31.

House Journal, p. 16.

THE ACCOMPTS of Jeremiah Allen Esqr Treasurer & Receiver General of the Province of the Massachusetts Bay in New England, Beginning the 30 May 1719 & Continued to the 31 May 1720, Amounting to the Sum of Forty six thousand, seven hundred & ten pounds, fifteen shillings & nine pence, Having been presented & laid before the House of Representat^ves & inspected by said House, By which it Appears there was standing out the thirty first of May 1720, Eightteen Hundred & one pounds, three shillings & eight pence of the Taxes. Seventteen Thousand, nine hundred & seventy six pounds, nineteen shillings & eleven pence Nett Province Bills, And Four thousand, two hundred & seventy eight Pounds. five Shillings & five Pence, with the Five ℘ Cent, Advance thereon, in the Treasury further to be Accompted for;

[Read and]

Voted that the said Accompts in the several Articles of Receipts & paym^ts therein mentioned, Amounting to the Sum of Twenty two thousand, six hundred & fifty four pounds, six shillings & nine pence, be & hereby are allowed of, And the said Treasurer is hereby discharged of the said Sum of Twenty two thousand, six hundred & fifty four pounds, six Shillings & nine pence. [*Passed July 23.*

CHAPTER 32.

RESOLVE FOR AN ALLOW^A TO THE COMMISSIONERS FOR TREATING W^TH THE INDIANS.

Legislative Records of the Council, xi., 31.

House Journal, p. 22.

Province Laws, ix., 701, chap. 129.

Resolved that Ten shillings ℘ Diem be allowed & paid out of the publick Treasury to each of the Honb: Commissioners that were sent the last Winter, to treat with the Eastern Indians, the Time they were on that Service; Viz^t The Honb^l William Tailer, William Dudley & John Stoddard Esq^rs. [*Passed July 23.*

CHAPTER 33.

RESOLVE ON ACC^T OF THE COMMITTEE'S EXPENCE IN REVIEWING THE LINE ON R^D ISLAND.

An Accompt of the Hon^b Nathl Byfield, Nathl Payne, & Samuel Thaxter Esq^rs their Charge of performing the Service of reviewing the ancient Line between this Province & the Government of Rhoad Island, Amounting to the Sum of £13. 18. 9.

[Read and]

Resolved that the Sum of Thirteen Pounds eighteen Shillings, & nine pence,[1] be allowed & paid out of the publick Treasury to the said Committee to discharge the said Accompt. [*Passed July 23.*

Legislative Records of the Council, xi., 31.

House Journal, pp. 22, 23. Province Laws, ix., 697, chap. 115.

CHAPTER 34.

RESOLVE ACCEPTING THE ACC^TS OF TRUSTEES OF THE £50,000.

The Accompts of Addington Davenport, Thomas Hutchinson & Edward Hutchinson Esq^rs & Mr John White, Trustees for the £50,000 Loan of Province Bills, Whereby it appears that since the first day of June 1719, They have rec^d & paid into the Treasury Ten thousand six hundred, & fifty seven pounds three Shillings & two pence of the Principal, & One thousand, eight hundred & three Pounds, one shilling & four pence Interest.

[Read and]

Resolved That the s^d Accompts be Accepted & approved, & that the Trustees the Accomptants be Discharged accordingly. [*Passed July 23.*

Legislative Records of the Council, xi., 32. Mass. Archives, cxxxvi., 44.

House Journal, p. 22. Province Laws, i., 750, chap. 10.

CHAPTER 35.

RESOLVE ALLOWING £13. 10 ON ACC^T OF COMMISS^RS FOR HAMPSHIRE LINE THEIR EXPENCE.

An Accompt of Addington Davenport &c; Commissioners appointed to settle the Line between this Government & the Government of New Hampshire, Amounting to the Sum of £13. 10.

[Read and]

Resolved that the Sum of Thirteen pounds & ten shillings, be allowed & paid out of the publick Treasury to the Hon^b Addington Davenport Esqr to discharge the said Accompt. [*Passed July 23.*

Legislative Records of the Council, xi., 32.

House Journal, pp. 23, 24. Province Laws, ix., 701, chap. 130.

CHAPTER 36.

VOTE ON THE PETITION IN BEHALF OF THE QUAKERS.

A Petition of Joseph Wanton & Richard Borden on behalf of the People called Quakers throughout this Province, Shewing that the said People for Years past have suffered the Destraint & Loss of their Goods

Legislative Records of the Council, xi., 23, 32.

[1] The House Journal reads £13. 8. 5.

Mass. Archives, cxiii., 474, 476. Executive Records of the Council, vii., 132. House Journal, p. 24. Province Laws, ix., 47, chap. 124.

for the Support of the Presbyterian or Independant Ministers, & also for the Building of their Meeting Houses, And that too often with much Extortion, Double & sometimes more being taken from them than the Sum demanded, That this Suffering for Conscience Sake they apprehend to be a great Imposition & Hardship, they being Desenters from the Church of England, And the Charter of this Province granting full Liberty of Conscience to all Desenters, That altho' they have Solicited the Government heretofore, for Relief, have yet obtained none, That their Friends in England had made some Progress in their Affair: & were encouraged by the Agent of this Province, That the Government here would do something to make them easy, So that their Friends need proceed no further in England, notwithstanding all which they are still under great Sufferings in many Places in this Province, And therefore Praying that this Court wou'd take these Matters under their Consideration, & give Orders that the Persons that are now suffering under such Impositions, may be discharg'd therefrom, for that their Consciences will not allow them to pay their Money for the Support of the said Ministers & Meetinghouses, And they being known dilligently to attend the Publick Worship in their own Meeting Houses, every first day of the Week.

In Council, Read

Voted that the Hon^b^l Isaac Winslow, Nathanael Payne & Edmund Quincy Esq^rs^ be a Committee to join with such as the Hon^b^l House shall appoint, to enquire into the Grounds & Reasons of the Complaints of the People called Quakers, And to Consider what may with Justice & due Regard to the Laws of this Province be done for their Ease, And more especially to prevent their being oppress'd upon any Distress made upon their Estates, And to make Report at the General Assembly at their Fall Session.

In the House of Representat^ves^ Read & Concur'd, And

Ordered that Cpt. William Throop, Major Meletiah Bourne, Mr John Foster & Cpt. John Gardner be joined in the Affair. [*Passed July 23.*

CHAPTER 37.

ORDER FOR COMMITTING THE ACC^TS^ OF THE £100,000 LOAN.

Legislative Records of the Council, xi., 32.

House Journal, p. 25. Province Laws, ii., 61, chap. 18; ix., 697, chap. 117.

In the House of Representat^ves^

Ordered that Mr William Clark, Mr Treasurer Allen & Mr John White Clerk of this House, be a Committee in the Recess of this Court, To Inspect the Accompts of the Commissioners of the Hundred Thousand Pound Loan of the Province Bills that are brought in & prepare them for the Court to pass upon at their next Session, And that such of the Commissioners as have not return'd their Accompts framed according to a Model sent to them, by Mr William Clark &c, formerly a Committee appointed by this Court, be strictly required without Delay to conform their Accompts to the said Model, & return them to the Committee hereby appointed, In Order to their being prepar'd by them to be pass'd on, by this Court at their next Session, And that in the mean time, All the Commissioners of the said Loan in the several Counties respectively do get & pay in to the Treasurer the Sums due for Interest.

In Council, Read & Concur'd. [*Passed July 23.*

CHAPTER 38.

ORDER ON GYLES DYER'S PETITION, STAYING EXECUTIONS.

A Petition of Gyles Dyer Merch^t Shewing that at an Inferiour Court held at Boston for the County of Suffolk on the first Tuesday of October last past, he recovered Judgment against John Barnard late of Boston Merchant for the sum of Two hundred eighty four Pounds twelve shillings & nine pence; That at the same Court the said John Barnard recovered Judgment against the Petitioner in three Actions for the sum of Two hundred & ninety Pounds; but so it is, that the said Barnard is absconded, so that the Petitioner can receive no Benefit by his Judgment against Barnard, althô he has taken out Execution thereupon; but the Petitioner will be liable to the Execution of the said Barnard upon his three Actions, when Judgment should be made up thereon, the same being respited by the Judges of the Superior Court till the Court shall meet upon their Adjournm^t upon the Petitioners humble Petition to the Judges; That the said Barnard will leave an Attorney to receive the Money recovered against the Petitioner, on purpose to defraud him; who will be left without Remedy unless relieved by this Honble Court, And therefore humbly Praying that An Act may be made for his Relief; which may order the said Money levied by the said Barnards Executions, to be lodged in the Superior Court, that so it may be subjected to the Petitioners Execution, or otherwise, as to the Justice & Wisdom of this Honble Court may seem most proper & fitting.

Legislative Records of the Council, x., 430; xi., 33.

House Journal, p. 52 (1719); p. 25. Province Laws, ix., 693, chap. 105.

Read &

Ordered that the Consideration of this Petition, be further continued to the next Session of this Court, And that Executions on both Sides be stayed in the mean time. [*Passed July 23.*

CHAPTER 39.

RESOLVE ALLOWING £400 TO THE JUDGES.

Resolved, that the Sum of Four hundred Pounds, be allowed & paid out of the publick Treasury to the Hon^bl the Judges of the Superiour Court of Judicature, in Proportion to the Courts they have attended the Year past. [*Passed July 23.*

Legislative Records of the Council, xi., 33.

House Journal, p. 26.

CHAPTER 40.

RESOLVE ALLOWING £250 TO THE TREASURER.

Resolved, That the Sum of Two hundred & fifty Pounds be allowed & paid out of the publick Treasury to Jeremiah Allen Esqr Treasurer of this Province for the Year past, His Trouble being extraordinary in Changing the Bills of Credit, & taking Care for the Supply of the Garrisons &c. [*Passed July 23.*

Legislative Records of the Council, xi., 33.

House Journal, p. 26.

CHAPTER 41.

RESOLVE ALLOWING £500 TO HIS EXCY THE GOVR.

Legislative Records of the Council, xi., 33.

House Journal, p. 25. Sewall's Diary, iii., 258.

Resolved that the Sum of Five hundred Pounds be allowed & paid out of the publick Treasury to his Excellency Samuel Shute Esqr Captain General & Governour in Cheif of this his Majesty's Province for his Support in managing the Affairs of the Government. [*Passed July 23.*

CHAPTER 42.

RESOLVE ALLOWING £20 TO MR JOHN WHITE.

Legislative Records of the Council, xi., 33.

House Journal, p. 26.

Resolved that the Sum of Twenty pounds be allowed & paid out of the publick Treasury to John White Clerk, in Part for his Service the Year Currant. [*Passed July 23.*

CHAPTER 43.

RESOLVE ALLOWING PAYMENTS TO JOHN FLAGG.

Legislative Records of the Council, xi., 33.

House Journal, p. 26.

Resolved that the Sum of Twenty seven pounds, ten shillings be allowed & paid out of the publick Treasury to Mr John Flagg, Door Keeper to his Excellency the Governour & this Court for his Service half a year, Ended the twenty sixth day of last Month, And twenty one shillings & eight pence for looking after the Clocks &c. [*Passed July 23.*

CHAPTER 44.

ORDER ON WELLS PETITION FOR CONFIRMING THEIR TOWNSHIP.

Legislative Records of the Council, xi., 33.

House Journal, p. 23.

A PETITION of Francis Sawyer Representative of the Town of Wells on behalf of the said Town, Shewing that the said Township of Wells, has never yet been Setled, & Confirm'd by any Act of the General Assembly, & Many People have taken Advantage thereof, & have trespass'd on that part of the Town which borders on Berwick, by Cutting & Carrying off Timber Wood &c, to the great Damage of the Proprietors of the said Town, Against which they have no Remedy in the Law, And therefore Praying that the Bounds of the said Township of Wells may be setled and confirmed by an Act of this Honbl Court Agreable to a Platt of the same herewith exhibited, And that the said Town may have & Enjoy the Privelidges, which other Towns within this Province have & enjoy.

Read &

Ordered that the Prayer of this Petition be granted, Provided it entrench not on any former Grant. [*Passed July 23.*

CHAPTER 45.

ORDER ON WALTER PRICE'S PETITION, COMPLAINING OF A JUDGMENT.

Legislative Records of the Council, xi., 33.

A PETITION of Walter Price of Salem, Shewing that John Fayerwether & others did at an Inferiour Court of Common Pleas, held at

Boston on the first of July Currant, Recover of the Petitioner a Judgment for Six Hundred & twelve Pounds &c, From which Judgment he appealed to the Superiour Court, But being obliged by his great Infirmities of Body to hasten Home, He depended upon his Attorney to enter into Recognizance with Sureties to prosecute his Appeal. but thro' Oversight & Forgetfulness his Attorney failed of entering into Recognizance till the Time was lapsed, By which means the Petitioner is liable to be torn in peices, Whereas if they could have finally recover'd any thing, It should be of the Estate of William Hurst Esqr Dec^d & not of the Petitioners own proper Estate, And therefore Praying that by the Favour & Indulgence of this Court, the Execution on the said Judgment may be superseded & Liberty now given him to Enter into Recognizance & prosecute [1] his said Appeal to the next Superiour Court. House Journal, p. 26.

[Read and]

Ordered that Major Walter Price, be Enabled at any Time within ten days after the Rising of this Court to give Bond, for prosecuting an Appeal by him made, in an Action prosecutid against him at the Inferiour Court the first Tuesday of July Currant at Boston, by Mess. Sewall, Fayerwether & Minot as Attorneys to Mabson & others, And the Clerk of the said Inferiour Court is hereby directed, to take a proper Recognizance for the said Appeal to be brought forward at the Superiour Court in November next, And the Execution already issued out against the said Walter Price is hereby suspended & Ordered to be return'd to the proper Office without further Proceeding, The Petitioner satisfying the Sheriffe: Any Law, Usage or Custom to the Contrary notwithstanding. [*Passed July 23.*

CHAPTER 46.

VOTE ACCEPTING THE REPORT RESPECTING THE CONTROVERSY BETWEEN IPSWICH HAMLET & CHEBACCO, RELATING TO KNIGHT'S FARM AND KNOLTON & BUCKMAN.

Samuel Sewall Esq^R gave in an Agreement made by Chebacco & Ipswich Hamlet to refer their Differences to be determined by certain Persons, named in the said Agreement, & the Report of the Referrees thereupon, W^ch are as follows; Viz^t Legislative Records of the Council, xi., 34.

Whereas there is a Hearing appointed by the General Court between Chebacco & the Hamlet, relating to Knights Farm, & Knolton & Buckman, We being desirous to have an amicable Agreement, Do mutually agree to leave the whole Affair to the Hon^bl Addington Davenport, Samuel Sewall & John Clark Esq^rs And do hereby oblige ourselves to rest satisfyed with their Determination, & to desire the General Court to ratify & confirm the same, And we do likewise Agree, that the above-said Gentlemen, shall determine concerning the Charges arising by the aboves^d Controversy: Boston Novr 18. 1719. Legislative Records of the Council, x., 417. House Journal, p. 20. Province Laws, ix., 632, chap. 110; 663, chap. 34.

Nathaniel Goodhue	Agents for	Mathew Whipple	Agents
Thomas Choat	Chebacco	Mathew Whipple jun^R	for the
		Samuel Pollard	Hamlet

In Pursuance to the above written Agreement of the Agents of the Hamlet & the Agents of Chebacco, To leave the Affair therein mentioned to us the Subscribers Obliging themselves to rest satisfyed with our Determination, therein desiring the General Court to ratify & Confirm the same, We have mett the said Agents & heard & considered their

[1] The words "& prosecute" are taken from the State Library copy, Legislative Records of the Council, xi., 35. In the Secretary's copy, instead of "& prosecute" the following appears: "till the time w."

Allegations on either Side, And are thereupon of Opinion, That Thomas Knolton & Jeremiah Buckman, should continue to the Hamlet as they have already been sett off, with their Friends of Knights Farm, by the General Court in the year 1718, & be freed from any other Charges a-Chebacco, Each of the said Parties to bear their own Charges in Prosecuting this Controversy, And our Opinion is now humbly offer'd & submitted to the Great & General Court for Confirmation, if they judge it reasonable,

SAMUEL SEWALL
ADD. DAVENPORT
JOHN CLARK

Voted that the Report & Determination of Samuel Sewall, Addington Davenport & John Clark Esq^rs on the Affair of Knolton & Buckman be & hereby is Accepted Ratified & Confirmed. [*Passed July 23.*

CHAPTER 47.

VOTE RESPECTING LANCASTER NEW GRANT.

Legislative Records of the Council, xi., 35.

Legislative Records of the Council, ix., 114, 285. House Journal, p. 20. Province Laws, ix., 176, chap. 11; 291, chap. 22; 696, chap. 113.

A MEMORIAL of William Tailer Esqr in Behalf of the Committee appointed to lay out two Towns to the Westward of Groton, Shewing that the Committee in Surveying the Land appointed for the said two Towns, They find that a wrong Return was made for the Town of Lancaster of a Grant of Land made by the General Assembly to the said Town, The Committee appointed to survey it Stating the Course, left it to be run by the said Town, And the said Town running the same upon a Point of the Compass different to what the said Committee had determined, And that the said Return is confirm'd by the General Court, That thereby a Grant of Land made to the Town of Woburn, & another to the Town of Dorchester are push'd into the Place design'd for one of these new Towns, Which will prove prejudicial to the whole Province, as well as to the said intended new Towns, if not remedied. Boston July 21. 1720 (Sign'd) By Order of the Committee, W^M TAILER.

In the House of Representat^ves This House having Information that Mess. Jonathan Prescot, Samuel Jones, & John Farnsworth, a Committee formerly improved by this Court, to view a Tract of Land petitioned for by the Town of Lancaster, & make Report & who did report the Bounds for a Tract of Land to be granted to said Town, but did not mark out the Lines of the said Tract, but only assign'd the Points of the Compass, whereby to mark them out, W^ch the said Town of Lancaster have since done, but have not duly followed the Directions of the said Committee's Report;

Ordered that Cpt. Peter Rice, Cpt. Jonas Prescot, & Mr William Ward, be a Committee to run & Mark out the Lines & Bounds of that Late Grant to Lancaster. Pursuant to the directions in the Report of the said Committee, And make Report of their Doings to this Court the next Session, The Surveyors & Chain men which they shall improve to be under Oath, The Charge of the Committee & Survey to be born as shall be directed by this Court.

In Council, Read & Concur'd. [*Passed July 23.*

CHAPTER 48.

ORDER FOR WRITING TO THE AGENT RESPECT^G THE BOUNDS OF THE PROVINCE.

In the House of Representat^ves

Ordered that Elisha Cook, John Clark, Oliver Noyes & William Dudley Esq^rs & Cpt. John Gardner with such as the Hon^bl Board shall appoint, be a Committee in the Recess of this Court, to search the Books & Records, & prepare Instructions for Mr Agent Dummer, wherby to enable him to defend the just Limits & Boundaries between this Province & the Governments of New York. New Hampshire & Rhode Island, to be approv'd by his Excellency & the Council, & to be transmited, by the Secretary in the Name of this Court.

In Council, Read & Concur'd, And

Ordered, that Addington Davenport, Thomas Fitch, Samuel Thaxter Esq^rs & the Secretary, be joined with the Committee of the House for the Affair above. [*Passed July 23.*

Legislative Records of the Council, xi., 35.

House Journal, p. 24.

CHAPTER 49.

VOTE AB^T THE EASTERN FORCES, CONTINUING FIFTY MEN FOR PROTECTION OF THE FRONTIER.

Voted that the Number of Fifty men be continued in the publick Pay for the Protection of the Eastern Frontiers until the twentieth day of November next, And that his Excellency be requested to order twenty of them to be placed at Swan Island in Kennebeck River, under a distinct Officer, A Plan represented most advantageous to encourage & cover the Eastern Settlements The Proprietors to provide convenient Lodgings. [*Passed July 23.*

Legislative Records of the Council, xi., 36.

House Journal, pp. 14, 23.

CHAPTER 50.

ORDER FOR A HEARING ON BRIDGWATER PETITIONS ABOUT THEIR MEETING HOUSE.

A Petition of Josiah Sears & sixty three others, Inhabitants of the North Precinct in Bridgwater, Shewing that at a Precinct Meeting held the sixth of Novem^r last, It was Voted & Agreed (with Submission to this Honble Court,) that the old Meeting house should be continued where it now stands, & that a Minister be settled agreably thereto; & that when the East Part shall obtain a Precinct from the General Court, this West Part shall pay to the East so much as they have advanced towards the Settling of a Minister, & that the dividing Line shall be a North & South Line to pass thrô the Center of the Precinct; And Praying that this Court would grant that the Vote of the said Precinct at their Meeting as afore said be ratified & confirmed.

Read &

Ordered that a Hearing be had on this & the other Petitions of the Town of Bridgwater, referring to their Meeting House on the second Wednesday of the Session of this in Autumn next. [*Passed July 23.*

Legislative Records of the Council, x., 441; xi., 36.

Legislative Records of the Council, x., 402, 407, 408. House Journal, p. 23.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE SECOND DAY OF NOVEMBER, A.D. 1720.

CHAPTER 51.

ORDER FOR CHANG^G A £5 BILL FOR MR JOHN FOSTER.

Legislative Records of the Council, xi., 40.

House Journal, p. 7.

Ordered that the Treasurer receive three Quarters of a Five pound Bill of Credit on this Province herto annexed, of Mr John Foster & give him a whole Five pound Bill for the same, It being made appear, that the said part of the said Bill was casually burnt. [*Passed November 4.*

CHAPTER 52.

VOTE ACCEPTING THE COM^TES REPORT FOR PLACING MILTON MEETING HOUSE.

Legislative Records of the Council, xi., 40.

House Journal, p. 8.

Ante, p. 11, chap. 16.

PENN TOWNSEND ESQ^R from the Committee of both Houses (appointed by an Order of this Court at the Session begun & held July 20. 1720) to state & settle the most proper Place for Erecting a Meeting House in the Town of Milton, gave in the following Report, Viz^t

Pursuant to the abovesaid Order of the General Court, We the Committee have repair'd to Milton, view^d the several Places proposed for the building their Meeting House on, & heard the Allegations of the Inhabitants belonging to the several parts of the Town, And upon mature Consideration had thereon, are of Opinion that the most convenient Place for building the Meeting House on for the accommodation of the whole Town, is on the Eastermost part of Pitchers Land, where the Oats grew the Summer past Which is humbly offer'd & submitted,

PENN TOWNSEND in behalf of the Committee,

Read & Accepted. [*Passed November 5.*

CHAPTER 53.

RESOLVE ALLOWING £15 TO HUGH PIKE.

Legislative Records of the Council, xi., 40.

House Journal, p. 8.

A PETITION of Hugh Pike, Shewing that he having served in the Expidition against Port Royal (commanded by Coll. March) as Ensign to Coll. Walton, he then receiv'd a dangerous Wound, Which has ever since disabled him from doing any thing for the Support of himself & Family,

And that his Wounds of late are grown much worse, And therefore Praying the Compassionate Consideration of this Court, And that some Thing may be done for his Relief.

Read &

Resolved that the sum of Fifteen pounds be allowed & paid out of the publick Treasury to Hugh Pike the Petitioner for his Relief. [*Passed November 5.*

CHAPTER 54.

RESOLVE ALLOWING £10 TO NATHANIEL KNOWLTON FOR SAMUEL CLARK.

A PETITION of Samuel Clark, Shewing, That about Twenty two Years since being a Soldier in the Garrison at Pemaquid Fort under Capt Chub, he received several greivous Wounds from the Indian Enemy, By reason of which his Limbs are much enfeebled, & almost without Sence, & his Body in a languishing Condition, So that he is render'd uncapable of Labouring for a Livelyhood, & having no Estate is reduced to a very distress'd Condition, And therefore Praying a compasionate Consideration of his deplorable Circumstances & such Releif as to the Goodness of this Court shall seem fitting.

Legislative Records of the Council, xi., 40.

House Journal, p. 8.

Read &

Resolved that the Sum of Ten pounds be allowed & paid out of the publick Treasury to Mr Nathaniel Knolton for the Relief of the Petitioner. [*Passed November 5.*

CHAPTER 55.

ORDER ACCEPTING THE REPORT OF THE COMMITTEE IN REGARD TO ACC^TS^ OF THE CHARGE OF Y^E^ ADDITIONAL BUILDING AT HARVARD COLLEGE, AND MAKING A PRESENT TO THE COMMITTEE FOR THEIR SERVICES.

THE ACCOMPTS of Jonathan Remington, Charles Chambers Esqr & Mr Andrew Boardman a Committee appointed by the Court to Oversee the Additional Building at Harward College, Of the Charge of Building & Finishing said House, The Ballance of which due to the Province, being One hundred, sixteen pounds, & one Penny, Together with,

Legislative Records of the Council, xi., 41.

House Journal, p. 10 (July); p. 6.

Province Laws, ix., 651, chap. 7.

The Report of Mr William Clark in behalf of the Comm^te^ appointed by the House of Representat^ves^ to view the said Building, Which Report is as follows,

In Obedience to the Order of this Honb^l^ House, The Committee went to Cambridge & View'd the Additional Brick Building at Harvard College, lately erected there at the Province Charge, And Report that they find it a well built & finished House, & well adapted to the Reception of Students, The Committee have also examined & Audited the Accompts of the Committee that had the Care of Building the same, And Report, That they find them well vouch'd & rightly cast, And the several Charges in the many Tradesmens Bills no more than what is usual & Customary, And that the Ballance due from the Committee to the Province is One hundred & sixteen Pounds & one penny; The Committee also received the Keys of the said Building, Which with the President &c, they named Massachusetts Hall, & Deliver'd the said

Keys to the President, as to the President & Fellows of Harward College.

(Sign'd) W^M CLARK ꝑ ordre of the Committee

Read &

Ordered that this Report be Accepted, And that the sum of One hundred & sixteen pounds, & one penny the Ballance in the Hands of the Committee, be presented to them for their good Service in taking Care of the Building. [*Passed November 5.*

CHAPTER 56.

ORDER ON SAM^L PATISHAL'S PETITION, REMITTING THE DUTY ON A NEGRO CHILD.

Legislative Records of the Council, xi., 42.

House Journal, p. 9.

A PETITION of Samuel Pattishall, Shewing that he came with his Family from Jamaica, & arrived in the Port of Boston in August last in the Brigantine Swan Walter Baker Master, & Imported in the s^d Brigantine Four Negroe Slaves; Viz^t One Negro Man two Negro Women & a sucking Child as his Household Servants, And in as much as he brought the said Servants to carry with him to the Eastward, & Abide with him there, where he is determined to settle with his Family upon his Estate, & will by no means sell or dispose of the said Negro Servants, Therefore Praying that this Hon^b Court w^d take the Premises under their Consideration, & Remit to him the Duty of Impost of Four Pounds ꝑ head, he is obliged by Law to pay for the said Negroes.

Read &

Ordered that the Prayer of this Petition be so far granted, as that the Duty upon the Sucking Child be remitted. [*Passed November 7.*

CHAPTER 57.

VOTE TO PREVENT THE SPREADING OF THE SMALL POX.

Legislative Records of the Council, xi., 43.

House Journal, p. 10.

INFORMATION being given that Capt. Gore lately arrived in this Harbour with the Small Pox in his Ship, whereof he is lately dead,

Resolved that the Select Men of the Town of Boston be Directed & Impower'd to take effectual Care, That none of those who have accompanied or attended Capt. Gore in his Sickness, be permitted to come to the Town of Boston until it may be reasonably judged, That they will not be likely to bring the Infection with them. [*Passed November 8.*

CHAPTER 58.

VOTE REQUESTING HIS EXC^Y TO ORDER MONS' RALLE TO BE APPREHENDED.

Legislative Records of the Council, xi., 39, 44.

Legislative Records of the Council, xi., 38 *bis*, 39, 40, 41 *ter*, 42 *bis*. Executive

Resolved that it is derogatary to his Majesty's Honour, & very injurious to this Province, That Monsr Ralle a French Jesuit & Missionary should in Defiance of the Law, Reside in any part of this Province, W^ch we are informed he now does as an Incendiary among the Indians

at Noridgwock, and that his Excellency the Governour be requested with Advice of the Council, to take effectual Methods for his Removal. [*Passed November 8.*

Records of the Council, vii., 230. House Journal, p. 6. *Ante*, p. 14, chap. 25.

CHAPTER 59.

RESOLVE ALLOWING £37. 9. 7 TO BARTH° GREEN.

AN ACCOMPT of Bartholemew Green Printer, Of Printing & Paper for the Governm^t in the year 1719, Amounting to the Sum of Thirty seven Pounds, nine shillings & seven pence

Read &

Resolved that the Sum of Thirty seven pounds nine Shillings & seven pence be allowed & paid out of the publick Treasury, to Bartho. Green the Accomptant, to discharge the said Accompt. [*Passed November 8.*

Legislative Records of the Council, xi., 44.

House Journal, p. 11.

CHAPTER 60.

RESOLVE ALLOWING £8. 19 TO JOHN CHANDLER FOR JOHN MERRY.

AN ACCOMPT of John Merry of Woodstock, of Sundry Disbursm^ts on John Sandford, who fell sick & died at his House in April last, Amounting to the sum of Eight pounds nineteen shillings & two pence;

[Read and]

Resolved, that the sum of Eight pounds nineteen shillings, be allowed & paid out of the Publick Treasury to John Chandler Esqr for the Use of the said Merry. [*Passed November 8.*

Legislative Records of the Council, xi., 44.

House Journal, p. 11.

CHAPTER 61.

ORDER DISCHARGING THE COMMITTEE ON ACC^T OF DISBURSM^TS ON THE REPAIRS OF CASTLE WILLIAM.

AN ACCOMPT presented by the Honb^l William Dummer Esqr Commander of his Majesty's Castle William, Amounting to the Sum of Five hundred Pounds expended by the Committee for the Repairs of the s^d Castle William by Order of the General Assembly

Read &

Ordered that the said Committee be discharged of the sum of Five hundred pounds, they receiv'd out of the Treasury. as expended in said Accompt. [*Passed November 8.*

Legislative Records of the Council, xi., 44.

House Journal, p. 11. Province Laws, ix., 616, chap. 76.

CHAPTER 62.

ORDER ON RICHARD IRESON'S PETITION COMPLAINING OF A JUDGMENT.

A PETITION of Richard Ireson of Marblehead, Cordwainer, Shewing that he commenced an Action of the Case against Edward Wilkinson of Boston, Coaster, To be heard & tried at the Inferiour Court of Common Pleas, to be held at Salem for the County of Essex on the

Legislative Records of the Council, xi., 45.

House Journal, p. 12.

Province Laws, ii., 165, chap. 1.

last Tuesday of June last (as in the Writ is at large set forth). When & where the said Wilkinson recovered Judgment ag^st^ the Petitioner for Costs of Court, From which Judgment he Appealed to the next Superiour Court of Judicature then appointed, by Law to be holden at Salem for the said County of Essex on the second Tuesday of November Instant, And Recogniz'd accordingly, But the Petitioner soon after went to Connecticut to take Care of his Affairs there, & return'd soon eno' to file his Reasons of Appeal in the Clerks Office of the Inferiour Court, forteen days before the usual time of the Sitting of the said Superiour Court, But to his great Disappointm^t^ he found at his Return, That the General Court, had by an Act brought forward the said Superiour Court for the County of Essex, & appointed that it should be held at Salem the last Tuesday of October, So that he was prevented & fore closed by the said Law from Giving in his Reasons of Appeal Time enough for the said Court, He returning into the Province too late, And humbly Praying that this Honb^l^ Court would take the Premises under Consideration, And Grant him Liberty to file his Reasons of Appeal, in the Clerks Office of the said Inferiour Court of Common Pleas for the County of Essex, forteen days before the next Superiour Court to be holden at Ipswich for the s^d^ County of Essex, on the third Tuesday of May next, And that the Justices of the said Court may be Impower'd & Directed to proceed to a Trial of the said Cause, as if the Reasons of Appeal had been filed in course according to the Direction of the Law.

Read &

Ordered that the Prayer of this Petition be granted, And that the Petitioner have Liberty to bring in a Bill accordingly. [*Passed November 8.*

CHAPTER 63.

ORDER RESPECT^G^ BRIDGWATER MEETING HOUSE.

Legislative Records of the Council, xi., 46.

House Journal, pp. 13, 14. *Ante*, p. 25, chap. 50.

THE PETITION of John[1] Packered & others of the Town of Bridgwater,[2] A Hearing having been had before the Court on this & the other Petitions of the Town of Bridgwater, referring to their Meeting-house.

Ordered that the said Meeting House be continued where it now stands.[3] [*Passed November 9.*

CHAPTER 64.

VOTE ACCEPTING THE COMM^TES^ REPORT RESPECT^G^ THE KENNEBECK INDIANS.

Legislative Records of the Council, xi., 46.

Legislative Records of the Council, xi., 45. House Journal, p. 13. Province Laws, ix., 701, chap. 129.

THE COMMITTEES appointed by the two Houses to Confer on the Subject Matter of the Votes that have pass'd relating to the Kennebeck Indians gave in the following Report; Viz^t^

This Government being well assured at divers Times last year of the many Wrongs & Injuries done by the Kennebeck Indians on the English Inhabiting the Eastern Parts within this Province, occasion'd

[1] "*James*" in the House Journal.

[2] In regard to the location of a meeting house.

[3] The record adds, "Consented to, J. Dudley," a mistake, of course, as to the Governor. The same mistake appears in the State Library copy, Legislative Records of the Council, xi., 51.

the General Court to send several Gentlemen to Casco Bay to Acquaint those Indians of their Misdeameaners and demand Satisfaction therefor, & bring them for the future to a suitable & peaceable Behaviour towards all his Majestys Subjects residing there, Who mett several of the Indians with some of the principal Men, And they, after many Interviews with the Gentlemen sent for that purpose, firmly Promised & Engaged, That as soon as their whole Tribe, (whom they, represented) could be called together, they would advise with their great Council, in order to make full Satisfaction for the aforesaid Wrongs, Which they have altogether neglected to comply with, But on the contrary, have repeated their Injuries to the People in those Parts the Summer past to their very great Loss & Damage in their Estates, And also insulted their Persons, All which unjust & barbarous Actions of the Indians, This Governm^t is firmly resolves'd to bear no longer, And Do therefore Constitute and Appoint Shadrach Walton Esqr Capt Samuel Moody, John Penhallow Esqr Cpt Johnson Harman, & Capt. John Wainwright (or any three of them) to meet the Indians according to Appointment at George Town, & Acquaint them, That they are Directed by his Majesty's Government, To let them know, That the Great & General Court is now Sitting in Boston, And expect that they forthwith send their Messengers to render a Reason for their Non Compliance with their Promises, so solemnly made at Casco Bay in January last, And why they have renewed their Insufferable Insults this present year, & refuse to make Restitution for the Damage done, as they expect any further Protection, or are desirous to remain in Friendship with the Government, And that with all possible Dispatch the Commanding Officer send an Express to Boston advising what they shall have done.

Read & Accepted. [*Passed November 9.*

CHAPTER 65.

ORDER FOR FITTING UP THE HOSPITAL.

Ordered that the Select Men of the Town of Boston be disired to take Care for the Fenishing the Hospital upon Spectacle Island, so as to make it warm & comfortable, for the Entertainm^t of the Sick, And that they Supply necessarys, to such as are there & not able to provide for themselves, To be paid for out of the publick Treasury. [*Passed November 10.*

Legislative Records of the Council, xi., 47.

House Journal, p. 15.

Province Laws, ix., 615, chap. 72.

CHAPTER 66.

RESOLVE ALLOWING £6 TO CAPT. JOHN BILLING FOR THE RELIEF OF ONCANNANUG, AN INDIAN.

A PETITION of Capt John Billing of Dorchester, Shewing that he has now under his Care an old Indian Man, named Thomas Oncunnanug, who labours under great Infirmities, Having wholly lost his Eye Sight in the publick Service, being one of the Guard to the Mast Cutters to the Eastward, & being now very old is utterly unable to support himself, And for as much as the Petitioner has for several Years maintain'd him, having had a small Allowance for that End out of the publick Treasury, & is under no particular Obligation to support him, And therefore Praying that the said blind Indian may have

Legislative Records of the Council, xi., 49.

House Journal, p. 17.

some further Relief out of the publick Treasury, that so the Burthen may not lye wholly upon him, Or that he may be Discharged from any further Care of him & Expence about him,

Read &

Resolved that [the][1] Sum of Six Pounds be allowed & paid out of the publick Treasury to Capt John Billing the Petitioner, To be by him improved for the Relief of the said Indian. [*Passed November 11.*

CHAPTER 67.

ORDER REVIVING THE VOTE ACCEPTING AND CONFIRMING THE PLATT OF THE TOWN OF WELLS.

Legislative Records of the Council, xi., 50.

House Journal, p. 16. *Ante*, p. 22, chap. 44.

THE PLATT of the Town of Wells, having been pass'd upon by the Representatives at the Session of this Court, begun & held July 13. 1720, in the following Words. Viz[t] "In the House of Representatives July 23. 1720, Accepted & Confirm'd"[2] And no Vote pass'd thereon in Council, The said Platt was again presented:

Ordered that the above Vote be revived. [*Passed November 11.*

CHAPTER 68.

ORDER ACCEPTING THE COMM[E] REPORT AB[T] THE BOUNDS BETWEEN NORTHAMPTON AND HATFIELD.

Legislative Records of the Council, xi., 50.

Legislative Records of the Council, vi., 424. House Journal, p. 20. Province Laws, vii., 88, chap. 42; ix., 682, chap. 83.

PURSUANT to an Order of the General Court in November last, Appointing us the Subscribers a Committee to view the Line between the Towns of Northampton & Hatfield, We did upon the eleventh day of May last, view the several Stations & Lines shown us, by the Agents of the respective Towns, And the Day after did Peruse the Records & all other Papers presented to us, And heard the Pleas made on each Side, And having fully consider'd the whole Matter, Do humbly Offer that M[r] John Pynchon M[r] Eleazer Holyoke, & M[r] Samuel Chapin, who were a Committee appointed by the General Court in May 18. 1658, To Divide the Lands at Nonatuck into two Plantations, Did Divide the said Lands, Making the River of Connecticut from the Falls to the Mouth of Copawank to be the Dividing Line, And from thence the said River Copawank to be the Bounds between the two Towns, afterwards called Northampton & Hadley, And in January 22[d] 1662, The Town of Northampton by their Agents did Agree with the Town of Hadley on a different Line, in order to accommodate a third Town or Plantation; Viz[t] Beginning at a Tree lying on the Ground at the South West Corner of a little Meadow called Nampaunse; From thence running North Sixty Rods, Where they made An Angle Running East, eighteen Perch, There making a second Angle, Running North One Mile & one hundred Pole, where they made a Third Angle, Running West, Nine Miles, All three Angles being now visible by Ditches Dug in the Earth, with Stones or Trees. This Agreement was made & agreed to accommodate the other Town now called Hatfield, And we further

[1] State Library copy, Legislative Records of the Council, xi., 54.

[2] The quotation is not literally correct. The vote was: "*Ordered* that the Prayer of this Petition be granted, Provided it entrench not on any former Grant." — Legislative Records of the Council, xi., 33.

Report, That when the General Assembly in their Grant to Hatfield May 10. 1673 And in their second Grant of Novr 26. 1695, Did bound the said Town of Hatfield upon the aforesaid Line, There was no other, And which was Acknowledged, Renewed & often Perambulated by Hadly & Hatfield, We are therefore humbly of Opinion, That the said Line by Agreament as before described, was & is the only Divisional Line between the two Towns of Northampton & Hatfield, And that the same do continue so for the future, There being no Pretence or Allegations in any wise on either Side, That there is or ever was any other Line run from the Great River nine Miles Westw^d into the Woods, but what is before discribed

JOHN CHANDLER
W^M DUDLEY
THOMAS HOW

Read &

Ordered that the above Report be Accepted, And the Accompt of Seventeen pounds two Shillings & four pence (the Charge of the Committee) be allowed & paid by the said Towns, vizt Half by the Town of Northampton, & Half by the Town of Hadley. [*Passed November 12.*

CHAPTER 69.

ORDER ON EBEN^R JOHNSON'S PETITION, CONFIRMING TITLE TO LANDS.

Legislative Records of the Council, xi., 51.

House Journal, p. 18. Province Laws, ix., 627, chap. 100. *Ante*, p. 24, chap. 47.

A PETITION of Ebenezer Johnson Grandson of Cpt. Edward Johnson late of Woburn Dec^d in the Name of himself & the rest of the Heirs of the said Edward Johnson. Shewing that whereas the General Assembly in their Session held in October 29. 1718 In Answer to the Petition then prefer'd by Edward Johnson Brother to the Petitioner, were pleased to Order that two Hundred Acres of Land which was delineated & described in the Platt therewith Exhibited, should be allowed & confirm'd as the two Hundred Acres of Land, granted to the said Edward Johnson in the year 1663 Provided it does not Entrench on any former Grant, Nor is part of the two Tracts of Land beyond Groton reserved for Townships by the General Assembly, The said Two hundred Acres of Land return'd to the Court, & condittionally allowed as aforesaid, happens to fall within the Bounds of the said Tracts of Land reserved for Townships, And therefore Praying that the Two hundred acres of Land describ'd in the Platt herewith exhibited, may be allowed & confirm'd to the Petitioner, & the other Heirs of the said Capt. Edward Johnson, To fulfil the above said Grant, It having been survey'd by a Surveyour & Chain Men under Oath, and lying without the Bounds of the said Tracts.

Read &

Ordered that the Platt delineated on the other Side be allowed & Confirm'd as the Two hundred Acres of Land granted to Capt. Edward Johnson Anno 1663, Provided it exceed not the Quantity of Two hundred Acres, nor entrench upon any Former Grant, And that the former Plat & Vote thereon be made null & void. [*Passed November 12.*

CHAPTER 70.

RESOLVE ALLOWING £33 IN PAYMENT OF DR JOHN HERRICKS ACC^T.

Legislative Records of the Council, xi., 52.

House Journal, p. 19.

AN ACCOMPT presented by Doct^r John Herrick of his Applications to Sergeant Daniel Tucker, under Cure of a Gun Shot Wound in the Trunk of his Body, amount^g to the sum of Thirty three pounds.

[Read and]

Resolved that the sum of Thirty three pounds be allowed & paid out of the publick Treasury to Capt. Joseph Herrick for the Use of Docter John Herrick to discharge the said Accompt. [*Passed November 14.*

CHAPTER 71.

RESOLVE ACCEPTING THE REP^T OF THE COMMITTEE ON BURNING TORN & DEFACED BILLS.

Legislative Records of the Council, xi., 54.

Legislative Records of the Council, xi., 38; State Library copy, *ibid.*, 62. House Journal, p. 23. *Infra*, chap. 72.

IN OBEDIENCE to an Order of the great & General Assembly at their present Session appointing us the Subscribers a Committee to take An Accompt of Province Bills of Credit, that were torn & defaced, We have accordingly receiv'd of Mr Treasurer Allen, the several Bills of the Denomination in the above Accompt. Amounting to Nine thousand, seven hundred & eighteen pounds, three shillings & four pence, Part of the Principal that was receiv'd of Addington Davenport, Thomas & Edward Hutchinson Esq^rs & Mr John White, Trustees for the £50,000 Loan, And Caused the Said Nine thousand, seven hundred & eighteen Pounds, three shillings & four pence to be burn'd to Ashes, as Witness our Hands this eleventh of Novr 1720

(Sign'd)	PENN TOWNSEND,	WILLIAM CLARK.
	THOMAS HUTCHINSON,	JOHN CHANDLER,
	SAMUEL BROWN	JOHN STODDARD,
	THOMAS FITCH,	JOHN WAINWRIGHT,
	JONATHAN BELCHER,	JONAS BOND,
	OLIVER NOYES,	EBENEZER AUSTIN.

Read &

Resolved that this Report be Accepted & that the Treasurer be discharg'd accordingly.[1] [*Passed November 15.*

CHAPTER 72.

RESOLVE ACCEPTING THE REP^T OF BURNING BILLS SIGNED WITH THREE HANDS.

Legislative Records of the Council, xi., 55.

House Journal, p. 23. *Supra*, chap. 71.

IN OBEDIENCE to the Order of the Great & General Court at their present Session, Appointing us the Subscribers a Committee to take an Accompt of Province Bills of Credit, that are torn & defaced, We have accordingly received of Mr Treasurer Allen the several Bills of the Denomination in the above Accompt, Amounting to the Sum of

[1] The concurrence and the Governor's consent appear in the State Library copy, Legislative Records of the Council, xi., 62, but not in the Secretary's copy.

One thousand & seventy pounds, fifteen shillings & ten pence, on Accompt of the Canada Loan, and caused the same to be burnt to Ashes, As witness our Hands the 11th of November 1720

JOHN CHANDLER	JOHN WAINWRIGHT
JONAS BOND	PENN TOWNSEND
EBENR AUSTIN	THOMAS HUTCHINSON
JONA BELCHER	SAMUEL BROWN
OLIVER NOYES	THOMAS FITCH
JOHN STODDARD	

Read &

Resolved that this Accompt be Accepted, & that the Treasurer be Discharg'd accordingly. [*Passed November 15.*

CHAPTER 73.

RESOLVE UPON THE REPORT OF THE SETLEMT OF RUTLAND.

WE THE SUBSCRIBERS of the Committee for Setling the Town of Rutland, Considering the Grant of the said Town made by the Honbl General Court, tho't it became us humbly to represent to this Great & Honbl Court our Complying with & fulfilling, the Directions & Conditions of the said Grant, Which were that within seven years time, Sixty Families be settled thereon, & sufficient Land reserved for a Gospel Ministry & School &c, Accordingly Sixty Dwelling Houses are erected & Sixty Families, Dwelling in them, (a List of the Names of the Heads of them is here exhibited) & a convenient Ministry Lot & School are Assign'd. Wch that this Honbl Court might be duly ascertain'd of, We prevail'd with three of the worthy Members of this Honbl Court, Viz. John Chandler & Francis Fulham Esqrs & Mr Joseph Wilder to come upon the Place & observe the same, Wch we humbly presume are ready to confirm this our Report, And we crave Leave further to add, That the Proprietors of said Township have expended several hundred Pounds in Erecting a Meeting House, Cutting & Making of Roads to the said Town passable, In getting & maintaining a Learned Orthodox Minister, & Bringing forward Settlements thereon, Wch We hope, If Divine Providence continue to smile upon us, will be a good & serviceable Town in this his Majesty's Province.

Legislative Records of the Council, xi., 55.

Legislative Records of the Council, ix., 366, 368, 434. House Journal, p. 22. Province Laws, ix., 338, chap. 169; 340, chap. 174; 379, chap. 100.

ESTES HATCH	THOMAS HOW
THOMAS SMITH	STEPHEN MINOT
JACOB STEPHENS	

We the Subscribers testify to the Truth of the aforewritten Report, As to the Number & Houses & Names of the Heads of them, Having visited & seen each Family as setled upon the Spot, the thirteenth & fourteenth days of October 1720, We also certify, That we were shown a Lot for the Ministry & another for the School, Each containing thirty Acres (Being the same in Quantity and as good in Quality as the rest of the Lotts), The Rights of which are equal with the other Lotts, both very conveniently laid being near the Meeting House, There is also Land left for a Green containing twelve Acres or Upwards, On which stands the Meeting House very commodious, The Dimensions whereof, were fifty feet long, Forty feet wide & twenty feet Stud:

(Sign'd) JOHN CHANDLER
FRANCIS FULHAM.
JOSEPH WILDER

Read &

Resolved that the Report on the other Sides be Accepted, And that the Proprietors of Rutland have fulfill'd the Conditions of their Grant. [*Passed November 15.*

CHAPTER 74.

ORDER ON DAN^L POWNINGS MEM^O AB^T THE POWDER HOUSE.

Legislative Records of the Council, xi., 56.

House Journal, p. 24.

A MEMORIAL of Daniel Powning, Keeper of the Powder House in Boston Shewing that the Floor of the said Powder House is much out of Repair, & gone to Decay & Moving that some Workmen may be Appointed to survey the same & repair it where it shall be found necessary to prevent further Inconvenience.

Read &

Ordered that Mr Daniel Pow[n]ing the Memorialist be disired to take Care to have the Repairs necessary for the said Powder House speedily done at the best Rate he can, & lay an Accompt thereof before this Court, if Setting, Otherwise before his Excellency the Governour & Council for Payment. [*Passed November 15.*

CHAPTER 75.

ORDER FOR A COM^TE ON REPAIRS AT THE CASTLE.

Legislative Records of the Council, xi., 57.

House Journal, p. 26.

Ante, p. 29, chap. 61.

Ordered that the Hon^bl William Dummer Esqr Oliver Noyes & Mr William Clark, be a Committee in the best & most effectual manner to secure the East & West Heads of Castle Island, either by Wharves or by driving in of Spoils, To be filled up with Stones, or otherwise as upon good Advice & Consideration it shall be thought necessary, And to Get new Carridges made for the Guns at the lower Battery of good Strong white Oak, season'd Timber, To be paid for out of the publick Treasury. [*Passed November 16.*

CHAPTER 76.

VOTE OF THE HOUSE UPON THE PETITION OF NORTON ASSESSORS.

Legislative Records of the Council, xi., 52, 58.

House Journal, pp. 19, 21, 24.

A PETITION of John Witheril & John Skinner Assessors for the Town of Norton, for the Year 1719. Shewing that they did in the said year Assess four several Distinct Rates; Viz^t The Province Tax, a Tax for the Support of the Minister, & two Taxes to defray the necessary growing Charges of the Town, Pursuant to Law & the Order of the said Town, According to their best Judgment, That Mrs Ann Leonard, her Son George Leonard, & Cpt. Samuel Brental All of the said Town made Complaint to the Petitioners, that they were over-rated in all the said Assessments, At the Time appointed for Hearing the said Complaint, Mrs Leonard did not appear, & Mr Leonard & Cpt. Brintnall, did not make any Proof to the said Assessors, That they were rated above their Proportion, But soon after made Application to the Court of General Sessions of the Peace, who abated something on the Province Rates of

the said Mrs Leonard & her Son, & taxed a Bill of Costs on the Town of Norton of Eight pounds, sixteen shillings & four pence, And Condemn'd all the Rates, except the Province Rates as unjust & unequal, & Taxed Bills of Costs on the said Town to pay to the said Widow Leonard & her Son Nine Pounds & four pence, and to pay Capt. Brentnal Three Pounds four shillings & four pence; Upon which the said Assessors, Prayed an Appeal to the Superiour Court, but it was denied them, And the Court of General Sessions of the Peace, directed the said Assessors to make three of the said Rates again without any Warrant, And they Knowing that the said Assessments were made upon Oath & according to their best Understanding, Did not comply with the Court's Direction, Whereupon the Minister of the said Town, Complained to the Court of Sessions for want of his Salary, And the Petitioners being cited, one of them appear'd at the Court to answer the said Complaint, And the Court did then renew their Order to make the said Rates anew, Which the Petitioners did not think proper to comply with, not being then Assessors, & Questioning the Power of the Court to condemn the said Tax Bill, Whereupon the Petitioners were apprehended by a special Warrant, And being brought before some of his Majesty's Justices of the Peace, were Order'd to give Bond for their Appearence, which they refusing were sent to Prison, And there kept till the Adjournment of the said Court, When they were fined Forty shillings apiece, From, which Judgment they Prayed an Appeal, but were wholly denied, And therefore Praying that this Honbl Court would consider their Case, & give them such Relief as to their Wisdom & Goodness shall seem meet.

Read &

Ordered that altho' Mrs Leonard & others might have Reason to apply to the Court of Sessions for an Abatemt of their Rates, And, if upon Disclosing that Matter, It did appear to that Court, That the Assessors had not attended the Rules & Directions of the Law, in some Points, Yet foras much as the Law has not Impower'd the Court of Sessions in such cases to declare the whole Rate Bill null & void, And Order the Assessors to make a new Assessment, That therefore the three Rate Bills made by the Assessors of the Town of Norton 1719, Which were Condemn'd by the Sessions, & new ones Order'd to be made, in lieu of them, be collected & paid in, on or before the last day of February next, And all that think themselves over-rated may have their Remedy as heretofore by Law accustom'd, And the Constables that had those Rates to collect, be directed & Impower'd to Gather in & Pay the same accordingly; And that the Petitioners be enabled, to bring forward an Appeal to the next Court of Assize at Bristol from the sentence of the Court of Sessions, where they were fined Forty shillings each & denied An Appeal. [*Passed November 16.*

CHAPTER 77.

RESOLVE ALLOWING £6 PER ANNUM TO JOHN ARMS FOR LIFE.

A PETITION of John Armes of Deerfield, Shewing that during the late War, he being in the publick Service against the French & Indian Enemy, receiv'd several grievous & dangerous Wounds, By reason of which, he is now a Cripple, & utterly disabled to do any thing for his Support, And therefore Praying that this Honbl Court would allow him a suitable Pension, to be paid out of the publick Treasury during his Life

Legislative Records of the Council, xi., 59.

House Journal, p. 27.

Read & In Answer to this Petition,

Resolved that the Sum of Six pounds ℘ Annum, be allowed & paid out of the Publick Treasury, to John Armes the Petitioner during his natural Life for his Relief. [*Passed November 17.*

CHAPTER 78.

ORDER ON JOS. & HANNAH PARMETERS PETITION FOR SALE OF LAND.

Legislative Records of the Council, xi., 59.

House Journal, p. 27.

A PETITION of Joseph Parmeter Father, & Hannah Parmeter, Widow relict of Benjamin Parmeter, late of Brantry dec^d Son to the said Joseph, Praying that they may be Enabled to sell, an House & ab^t an Acre & an half of Land, which belonged to the said Dec^d The Produce thereof, to be lodged in the Hands of Trustees, To be improved for the Use of the Children of the said Benjamin Parmeter dec^d until they shall come of Age

Read &

Ordered that Cpt. Peter Adams & Mr Samuel Savil of Brantrey, be & hereby are authoriz'd & Impower'd to make Sale of the real Estate of the s^d Benjamin Parmeter, the Produce thereof to be put out to Interest, Which Interest to be Applied to & for the Use of the Widow & Children of the s^d Deceas'd, And the Children to have their proportion of the Principal as they come of age. [*Passed November 17.*

CHAPTER 79.

RESOLVE ALLOWING £12. 2 IN PAYMENT OF BENJ^A HAWS'S ACC^T.

Legislative Records of the Council, xi., 60.

House Journal, p. 30.

Province Laws, ix., 494, chap. 102.

AN ACCOMPT presented by Benjamin Hawse, One of the Committee appointed, by the General Court in Novr 1716, To go to Nantucket & Inquire into the Grievances there; Of his Charge & Service, amounting to the Sum of £12. 2.

[Read and]

Resolved that the Sum of Twelve pounds, two shillings, be allowed & paid out of the publick Treasury, to Mr Benjamin Hawse the Accomptant to discharge the said Accompt. [*Passed November 18.*

CHAPTER 80.

RESOLVE ALLOWING £17. 18 TO NICH^O BOON.

Legislative Records of the Council, xi., 60.

House Journal, p. 30.

AN ACCOMPT presented by Nicholas Boon, for Paper, Printing & Sticking the Votes of the House of Representat^ves for the Sessions of Novr 1719 & July 1720, Amounting to the Sum of Seventeen Pounds, eighteen shillings.

[Read and]

Resolved that the Sum of Seventeen pounds Eighteen Shillings, be allowed & paid out of the publick Treasury to Nicholas Boon the Accomptant to discharge the said Accompt. [*Passed November 18.*

CHAPTER 81.

ORDER FOR A DUPLICATE OF THE RECORDS OF THE GENERAL ASSEMBLY.

WHEREAS the Preservation of the publick Records (More especially of the General Assembly) is of great Importance, And the Destruction of them by Fire (to which they are exposed while Single) would be an irreparable Loss to this Province, And whereas there is a Duplicate of the said Records from the first Planting of this Province to the year 1686, & no longer,

Legislative Records of the Council, xi., 57, 62.

House Journal, pp. 23, 24.

Ordered that the Secretary be directed with all convenient Speed to prepare a Duplicate of the Records of the General Assembly from the Year One thousand six hundred & eighty six to this present Time, The same with the Duplicates of of[1] the preceeding time to be kept, where the House of Representat^ves^ for the Time being shall direct. [*Passed November 19.*

CHAPTER 82.

RESOLVE ON JOHN BARN'S PET^N^ REMITTING DUTY ON IMPORTATION OF NEGROS.

A PETITION of John Barns of Boston Merch^t^ Shewing that the Petitioner had consign'd to him from Antigua, by the Ship whereof Jonathan Clark was Master, a Negro Boy named Jocky about fifteen years of Age, That in the Month of September, on the Back of Nantucket both the said Negro Boys Leggs were frozen, So that he lay along time under Cure, And the Surgeon was obliged at last to cut off both his Feet above the Ancle, And the Petitioner was forc'd to sell him for Ten pounds, to a Taylour & paid Thirty five pounds for his Cure, And therefore Praying that the Duty of Four Pounds, arising on the Importation of the said Negroe, And to be paid to the Commissioner of the Imposts, may be remitted him.

Legislative Records of the Council, xi., 63, 64.

House Journal, p. 36.

Read &

Resolved that the Prayer of this Petition be granted. [*Passed November 22.*

CHAPTER 83.

ORDER ON EBEN. NEWELL'S PETITION, COMPLAINING OF A JUDGMENT.

A PETITION of Ebenezer Newell of Roxbury, Husband Man, Shewing that upon the Presentment of the Grand Jury for the County of Suffolk, before the General Sessions of the Peace, held at Boston, on the fifth of April last past, He was Convicted of Selling Strong Drink, without Licence, & Sentenced to pay a Fine of Ten pounds or Suffer twenty days Imprisonment & Pay Costs of Prosecution, From which Judgm^t^ of the Court of Sessions, he appealed, to the Court of Assize next to be holden for the said County, But not knowing that he ought to have Enter'd his Appeal, the first day of the Court, he was Debar'd his Entry, Which he afterwards Offer'd, And the former Judgment was Affirm'd with additional Costs, And for as much as he doubteth not, but

Legislative Records of the Council, xi., 63, 64.

House Journal, p. 37.

[1] *Sic.*

upon an other Trial, He shall be able to make his Innocency appear, Praying the Favour of the Court, that Execution may be suspended, And he permitted to Enter his Appeal, at the next Court of Assize, to be holden for the said County of Suffolk

Read &

Ordered that the Prayer of this Petition be granted, And that the Petitioner have leave to bring in a Bill accordingly. [*Passed November 22.*

CHAPTER 84.

RESOLVE ALLOWING £70 TO JOHN HAYES, KEEPER OF THE LIGHT HOUSE.

Legislative Records of the Council, xi., 64.

Executive Records of the Council, vii., 146, 170. House Journal, p. 36. Province Laws, ii., 32.

A PETITION of John Hayes, Keeper of the Light-House at Beacon Island, Shewing that he is necessitated for the faithful Discharge of his Office, to Hire two Men constantly to Attend that Service as well as himself, So that after Mens Wages are paid, & Provisions are supplied them, the Petitioners Allowance is not sufficient to Give himself & Family a Support, And in as much as it may have been represented, that his Profits are considerable by Giving Entertainm^t on the Island, That he has found the same prejudicial to himself, as well as the Town of Boston, And therefore he has left off giving Entertainm^t for the last twelve Months, And that for the Affair of Pilotage, In the Summer season, Almost every Fisherman or Boat Man, as they meet with in the Bay Pilot the Ships in, And that his Benifit by Pilotage is by that means very inconsiderable, And therefore Praying that some sufficient Addition be made to his Salary, That it may be what is necessary for his Support

In Answer to this Petition,

Resolved that the Sum of Seventy pounds be allowed & paid out of the publick Treasury to the Petitioner for his Service the Year comming, To be paid Quarterly as it becomes due. [*Passed November 22.*

CHAPTER 85.

RESOLVE ALLOWING £8. 0. 9 TO MARY FOWLE.

Legislative Records of the Council, xi., 66.

House Journal, pp. 38, 39.

A PETITION of Mary Fowle of Woburn Widow, Shewing that by Order of Coll. Jonathan Tyng, She dieted & lodged Fifteen Soldiers (Impress'd in his Majesty's Service in the Eastern Parts of the Province) from March 17. 1718 to the 31 of said Month, being fourteen days, For which She humbly conceives, She ought to be allowed the sum of Ten pounds, ten shillings, being at the Rate of One shilling p^r Man ℔ day, Which will fully appear by Coll. Tyngs Certificate & the Petitioners Accompt herewith Exhibited, And for as much as, she has not as yet, had any thing, in Satisfaction for the same, Humbly Praying that She may be paid out of the publick Treasury, the abovesaid Sum of Ten pounds & ten shillings.

Read &

Resolved that the Sum of Eight pounds nine pence be allowed, & paid out of the publick Treasury to Mrs Mary Fowle the Petitioner in full of her Demand in the Petition. [*Passed November 24.*

CHAPTER 86.

RESOLVE ALLOWING £7. 10 TO JONATHAN MAYNARD AND 10/ 9 TO MR. ROBINSON OF CAMBRIDGE.

A PETITION of Coll. Joseph Buckminster, Shewing, That pursuant to his Excellency's Order herewith exhibited, he Impress'd Fifteen Men for his Majesty's Service out of the Regiment of Militia under his Command, Which Men the Petitioner billeted out to Jonathan Manard, Inn holder in the Town of Framingham, Who subsisted them fifteen days, And then they were conducted to Mr Robinson of Cambridge, by whom they were entertained one night, & had two meals apiece at his house That he expected that he or the Persons that Subsisted them, should be paid the subsistence Money out of the publick Treasury, But he is informed by the Treasurer that by Order of the Governour & Council, he has paid Subsistence Money to themselves. And humbly Praying that the said Manard & Robinson, may be satisfyed for their Charge & Trouble in the said Subsistence.

Legislative Records of the Council, xi., 66.

House Journal, p. 39.

[Read and]

Resolved that the Sum of Eight Pounds & nine pence, be allowed & paid out of the publick Treasury in full of the Demand mentioned in the said Petition, That is to say, The Sum of Seven pounds & ten shillings to Mr Jonathan Mainard, & the Sum of Ten shillings & nine pence to Mr Robinson. [*Passed November 24.*

CHAPTER 87.

ORDER ON THO^S FAYERWETHER'S PETITION, GRANTING LANDS TO THE HEIRS AND REPRESENTATIVES OF HIS GRANDFATHER, JOHN PAYNE.

A PETITION of Thomas Fayeweather for himself & others Grand Children of John Payne late of Boston dec^d, Shewing that the Petitioners said Grand Father in or about the year of our Lord 1673, by the direction of the General Assembly of the late Colony of the Massachusetts Bay, did run the Southern Line of said Colony home to Hudson's River, And did in the said Service, not only undergoe great Hardships & Fatigues, & considerable Hazzards, but was at the whole Expense of the said Business himself, That in consideration of the said Service & Charge, the said General Court at their Session May 12. 1675, Granted unto the s^d John Payne, Eighteen hundred Acres of Land, & Four thousand Acres to be laid out in two different Places, with Provision only, That he should make Oath to his Return, & Procure Testimonies of those, that accompanied & Assisted him in the s^d Service, As by the Coppys herewith exhibited may appear, That the said John Payne died before that he could procure the said Testimonies, That the Petitioner being born many Years, since his Grand fathers Death, is but lately come to the Knowledge of the Premises, but is well assured that the said Grants were never laid out, & return'd, And therefore Humbly Praying, that such a Quantity of the ungranted Lands of the Province, may be laid out to the Heirs of the said John Payne, as in the Wisdom & Justice of this Honb^l Court may be thought a meet & proper Gratification for the Service abovemention'd.

Legislative Records of the Council, xi., 67.

House Journal, p. 37.

In the House of Represent^ves Read &

Ordered that Five hundred Acres of Land be Granted to the Heirs & legal Representat^ves of the Petitioner's Grandfather John Payne late

of Boston Merch^t dee^d in full of all Claims & Demands whatsoever on account of the Service mentioned in the Petition, To be laid out by a Surveyour & Chain Men under Oath in proper Form, & a Platt thereof to be returned to this Court for Confirmation within the Space of a year.

In Council, Read & Concur'd, Provided the Grants set forth in the Petition have not already been taken up.[1] [*Passed November 24.*

CHAPTER 88.

RESOLVE ALLOWING £20 TO DAN^L TUCKER.

Legislative Records of the Council, xi., 69.

Executive Records of the Council, vii., 169, 202. House Journal, p. 46.

A PETITION of Daniel Tucker, Praying an Allowance towards his Support, he being disabled by Wounds he receiv'd in the Trunk of his Body, in the Service ag^t the Indian Enemy from doing any thing for his Livelihood.

Resolved that the Sum of Twenty Pounds be allowed & paid out of the Publick Treasury to Serg^t Daniel Tucker the Petitioner for his present Relief. [*Passed November 26.*

CHAPTER 89.

RESOLVE ALLOWING £11. 8 TO CPT. JOHN GARDNER.

Legislative Records of the Council, xi., 70.

House Journal, pp. 24, 28, 45.

AN ACCOMPT presented by Capt. John Gardner of his own & several other Persons Charge in Going to Nutfeild, by Order of the House of Representat^ves this Session, Amounting to the Sum of Eleven pounds & eight Shillings.

Resolved that the sum of Eleven pounds & Eight shillings be Allowed & paid out of the publick Treasury to Cpt. John Gardner to discharge the said Accompt. [*Passed November 26.*

CHAPTER 90.

VOTE RESPECT^G THE BORROWERS OF THE £100,000 LOAN.

Legislative Records of the Council, xi., 71.

House Journal, p. 47. Province Laws, ii., 61, chap. 18.

WHEREAS divers Persons that have Mortgaged their Estates, & Taken up Province Bills of the Commissioners in ye several Counties for the £100,000 Loan have Neglected to pay in the Annual Interest & suffer'd their Mortgages to be sued out, And some it is said have offer'd to resign their Title, to such Land, W^ch it is not probable, they would have done, If the Lands Mortgaged, had been of double Value of the Bills lent, as the Law directs;

Resolved that the Commissioners for the s^d Loan in the several Counties be & hereby are directed & required to Accept no Apprizem^t of Lands in Order to Let out the said Bills thereon, Unless they are duly Certified & well Assured, That such such[2] Select Men made such Apprizement under Oath as heretofore directed by this Court, And the Commissioners strictly Enquire into the Title of all Mortgages to the Lands upon which they let out the said Bills, That no Loss accrue to the Province thro insufficient Security. [*Passed November 29.*

[1] Probably agreed to by the House of Representatives, but the records are silent on the point.

[2] *Sic.*

CHAPTER 91.

ORDER FOR RUNNING THE LINE BETWEEN Y^E TWO PARTS OF NORTON.

A PETITION of George Hall & sundry others Inhabitants of the East End of Norton, Shewing, That, Whereas the General Court did in the year 1710, Appoint a Committee to run the Divisional Line, by which they were to be sett of from the other part of Norton, And the said Committee did run the said Divisional Line accordingly, & gave in the Report thereof to the General Court in May 1718, The Petitioners were Negligent in the Affair, in that they did not request a Confirmation of the Line, according to the s^d Report. But since they cannot proceed to Settle a Gospel-Ministry amongst them, before the said Line is setled, Therefore Praying that the said Report may be brought for Acceptance, & they may be made a seperate & distinct Precinct.

Legislative Records of the Council, xi., 72.

Legislative Records of the Council, ix., 100; x., 238. House Journal, p. 52. Province Laws, ix., 166, chap. 140.

In Council, Whereas the Report of the Committee, referr'd to in this Petition is not Accepted,

Ordered that Jacob Thomson Esqr with such Persons as the Hon^bl House of Representat^ves shall appoint, be a Committee to run the Divisional Line between the Easterly End of Groton[1] & the other part thereof, Conformable to Orders of the General Court, Pass'd March 17. 1710, And make Report to the General Court at their Session in May next.

In the House of Representat^ves Read & Concur'd, And the Hon^bl Samuel Thaxter Esqr & Mr Benjamin Crane are joined in the Affair. [*Passed November 30.*

CHAPTER 92.

VOTE FOR A STANDARD FOR HEMP.

A PETITION of James Ivers & sundry others, Rope Makers in the Town of Boston, Shewing that whereas the Governm^t have given a very generous Bounty to encourage the Raising of Hemp, within this Province, The Hemp, is notwithstanding the said Rewards, much worse than formerly, And the Labourer has receiv'd his Premium for his Hemp, & then caried it out of Town & brought again & so receiv'd a double Premium for the same Hemp, And therefore Praying that the Persons that receive a Bounty for Hemp, may be obliged to repair to a certain Standard, when the Hemp shall be proved.

Legislative Records of the Council, xi., 74.

Legislative Records of the Council, x., 402. House Journal, p. 51. Province Laws, ii., 102, chap. 5; 125.

[Read and]

Voted that the Head of Hemp herewith sent up be a Standard by which the Surveyours of Hemp, regulate themselves, So as not to Certify any Hemp for the Premium of the Law, that is not so well cleansed & Manufactur'd. [*Passed November 30.*

CHAPTER 93.

VOTE FOR ADJOURNING THE SUPERIOUR COURT AT ESSEX.

WHEREAS the Superiour Court of Judicature, Court of Assize & General Goal Delivery for the County of Essex, stands adjourn'd to Wednesday the seventh of December next;

Legislative Records of the Council, xi., 73, 75.

[1] *Sic* for Norton.

House Journal, p. 53.

Ordered that the Justices of the said Superiour Court be directed to Adjourn the said Court to some further Time, That so the Business of the General Assembly be better attended. [*Passed December 1.*

CHAPTER 94.

VOTE RESPECTING PEREGRINE WHITE'S FARM.

Legislative Records of the Council, xi., 73, 75.

Maps and Plans, ix., 10. Legislative Records of the Council, ix., 280. House Journal, p. 54. Province Laws, ix., 287, chap. 8. *Ante*, p. 13, chap. 22.

A HEARING having been had the tenth Instant, as well upon the Petition & Representation of Daniel Waldoe, Referring to two Hundred[1] Acres of Land hired by him of the Town of Dorchester, & scituated between the Towns of Brantrey, Bridgwater & Dorchester, & lying in the County of Plimouth, As upon a Report of Samuel Thaxter & William Dudley Esq^rs a Committee appointed by the General Assembly at their Sessions in November last, To view the Bounds of a certain Farm, Granted by the late Colony of Plymouth to Lieut. Peregrine White of Marshfeild in the County of Plimouth Dec^d Anno Dom^i 1665. The Assignees or Purchasers of the said Peregrine White's Farm, being present & fully heard, as to their Claim or Challenge of Land, by Vertue of the said Grant, And the several Memorials of the Towns of Brantrey & Dorchester, having been since Read & Consider'd, And it appearing very plainly that the said Assignees or Purchasers, under a Pretence of the said Grant to Peregrine White, which was but for two hundred Acres, not only possess themselves of Six hundred & seventy three Acres, there happening to be that Quantity within the Bounds of the Original Grant, but have likwise unjustly Encroached & Intruded on Seven hundred & fifty one Acres & a quarter more next adjoining therto, & lying between the ancient reputed Colony Line & the present or new Colony Line, As it was stated & confirm'd about seven years since, The Figure & Scituation of which two Tracts of Land is more particularly described in a certain Platt thereof on File; And it appearing that a considerable part of said Seven hundred & fifty one Acres & a Quarter; Viz^t All that part thereof, lying Eastward from the Stake & Heap of Stones in the old Colony Line, hath been Granted & Disposed to the Towns of Boston & Dorchester by the General Court of the late Colony of the Massachusetts:

Voted & *Resolved* that the Old Colony Line, (as described in the afore mentioned Plan) Viz^t As far westward as the Stake & Heap of Stones, shall be, & is hereby Declared to be the ancient & true Boundary, betwixt the said Grant or Farm of the s^d Peregrine White & the adjacent Proprieties of the Inhabitants of Brantrey & Dorchester. And that the said Grant & Adjacent Lands be so far setled, bounded, & establish'd accordingly; And that the Residue of the Lands to the Westward of the said Stake & Heap of Stones be to the Use of the Province. [*Passed December 1.*

CHAPTER 95.

RESOLVE ON A QUESTION AB^T POOR PRISONERS FOR DEBT.

Legislative Records of the Council, xi., 75.

QUESTION; Whether by the Law of this Province for the Relief of poor Prisoners for Debt, a Prisoner that hath receiv'd a Warrant from the

[1] This word, omitted in the Secretary's copy, is found in the State Library copy, Legislative Records of the Council, xi., 85.

Court of General Sessions for his Relief, may be continued in Prison for any other Debt contracted before the Time of Taking the Oath appointed, by the said Law, before a Justice of the Peace, The Poor Prisoner for Debt, giving in to the General Sessions of the Peace a List of his Debts, in which the Name of such Creditor is express'd?

Resolved that such Prisoner for Debt, ought not to be Continued in Prison, & that the Law ought so to be understood. [*Passed December 2.*

House Journal, p. 56. Province Laws, i., 330, chap. 11; 364. Laws of Mass., 1692–1726, edition of 1714 and supplements.

CHAPTER 96.

RESOLVE ON A QUESTION AB^T FREE-HOLDERS.

A QUESTION being moved upon the Paragraph, which relates to the Qualifications of Voters in Town Meetings in the Act for Regulating of Townships & the Choice of Town Officers, made & Pass'd in the fourth Year of the Reign of King William the third; Viz, Whether the Words [Rateable at twenty pounds Estate to one single Rate besides the Poll] are to be understood as the Qualifications of Free-holders, as well as other Inhabitants of Towns &c?

Resolved in the Affirmative, And that the Law ought so to be understood. [*Passed December 2.*

Legislative Records of the Council, xi., 76.

House Journal, p. 56. Province Laws, i., 64, chap. 28; 107. Laws of Mass., 1692–1726, edition of 1714 and supplements.

CHAPTER 97.

ORDER ON JOHN COBBET'S PETITION, FOR THE RENEWAL OF BOUNDS OF LANDS GRANTED TO HIM.

A PETITION of John Cobbet for himself & in behalf of the Rest of the Heirs of Mr Thos Cobbet of Ipswich dec^d Shewing that the General Court of the late Colony of the Massachusetts Bay in the year 1662, were pleased to Grant to the said Mr Thomas Cobbet Five hundred Acres of Land, That in the year 1663, a Return was made & allowed by the Court, That, in the year 1664, an additional Grant was made to the said Cobbet of Twenty Acres of Meadow, near adjoining to the first Grant, And in as much as the Petitioners have been at great Charge & Cost in making Discovery of the Bounds of the said Grants, & can find only a part thereof, The Rest being by length of Time & the Indian War worn out & lost, Therefore Praying that this Honb^l Court would order the Renewal of the Bounds of the said Grants, And that the same may be set forth accordingly

Read &

Ordered that the Prayer of this Petition be Granted, And that Cpt. John Gardner be appointed at the Charge of the Petitioners to renew the Bounds of the said Land, & Make Report to this Court. [*Passed December 2.*

Legislative Records of the Council, xi., 77.

House Journal, p. 55.

CHAPTER 98.

RESOLVE RESPECT^G LANCASTER BOUNDS.

WHEREAS the Town of Lancaster by their Petition to the General Court Anno 1702, Requested a certain Tract of Land, Westward of

Legislative Records of the Council, xi., 77.

Legislative Records of the Council, vii., 333. House Journal, p. 53. Province Laws, vii., 353, chap. 47. *Ante*, p. 24, chap. 47.

their Town of near four or five Miles wide at the North End thereof, & so running to Nashaway River, & the River to be the Bounds &c, And whereas the Agents for said Lancaster by their Petition Anno 1710, Desired of the General Court, that a Committee might be appointed to view the said Land, then & in the aforesaid year 1702 petitioned for, & Make Report, There being a Committee appointed who have made their Report, But it being entirely Grounded on the Information given by Lancaster People, Who did not truly & fairly represent their Bounds, As appears by the Affadavits of two of that Committee, & the Information of other Persons disinterested:

Resolved that the North Bound of Lancaster, be extended westward on the same Point, as the old Line of said Town runs Four Miles & an Half West (This being the Intent & real Design of the Committee for View), And that at the End of the said Four Miles & an half, there be a Corner erected, & a right Angle made, & Running South until the same Line meets the River of Nashoway, And then the River to be the Bounds of this Tract of Land given & granted to the said Town of Lancaster, This being conformable to their Petition & Purchase for said Lands, And that any other Bounds on Marks pretended unto, be Declared null & void, & not according to Order & Direction of this Court. [*Passed December 2.*

CHAPTER 99.

RESOLVE ALLOWING £6 TO JOHN PRENTICE.

Legislative Records of the Council, xi., 78. House Journal, p. 57.

A PETITION of John Prentice of Newton, Shewing that many years since he was impress'd into the publick Service under Cpt. Willis & receiv'd several Wounds in his Thigh, & in both his Arms, Whereby he is render'd unable to follow his Husbandry Work, & so brought into indigent & necessitous Circumstances, And therefore Praying the Compasionate Consideration of this Court, & such Allowance out of the publick Treasury as to the Wisdom & Goodness of this Court shall seem necessary for his Relief.

Read & in Answer to this Petition,

Resolved that the sum of Six Pounds be allowed & paid out of the Publick Treasury to John Prentice the Petitioner for his Relief. [*Passed December 3.*

CHAPTER 100.

RESOLVE ALLOWING £60 TO NICH° WOODBURY.

Legislative Records of the Council, xi., 79. House Journal, p. 57.

A PETITION of Nicholas Woodbury of Ipswich, Shewing that in the Month of November 1711, he was Impress'd into the Service, & proceeded Eastward against the Indians under Command of Cpt. Herman, & was continued in Service till April following, when he was taken Captive by the Indians at Wells & Carried to Cananda, where he cut his Leg & remains yet very lame, & a few Days since after Nine Years Captivity return'd Home, During which time he endured many Hardships, & at last was obliged to pay Thirty two pounds for his Ransom. Besides the Charge his Father was at to Hire two Persons to go to Canada to treat about his Freedom, Which amounted to about Fifty pounds more, And therefore Praying that he may be allowed Wages from the Time of his Impressment to his Return Home, or have such other Consideration made him as to the Goodness of the Court shall seem fit.

Read &

Resolved that the sum of Sixty pounds be allowed & paid out of the publick Treasury to Nicholas Woodbury the Petitioner, In Consideration of the great Damage, Being in the Service, when he was taken, And that he be recommended to be improv'd as an Interpreter of the Indian Language, as there may be Occasion. [*Passed December 3.*

CHAPTER 101.

RESOLVE ALLOWING £8. 18 TO CAPT. PETER RICE FOR CAPT. WILLIAM WARD.

AN ACCOMPT presented by William Ward of the Charge of the Committee & Surveyours sent by Order of the Court at their Session begun & held July 13. 1720, To run & mark the Lines of the late Grant of Land made to Lancaster, Amounting to the Sum of £8. 18.

Legislative Records of the Council, xi., 80.

House Journal, p. 60.

Ante, p. 24, chap. 47; p. 45, chap. 98.

[Read and]

Resolved that the Sum of Eight Pounds, eighteen Shillings, be paid by the Town of Lancaster to Cpt. Peter Rice, to discharge the said Accompt. [*Passed December 6.*

CHAPTER 102.

RESOLVE ALLOWING £4. 2. 3 TO JOHN MARION.

AN ACCOMPT presented by John Marion, of Provisions sent to the Province Hospital the last Month by Order of this Court, Amounting to the sum of £4. 2. 3.

Legislative Records of the Council, xi., 81.

House Journal, p. 61.

Ante, p. 31, chap. 65.

[Read and]

Resolved that the Sum of Four Pounds two shillings & three pence, be allowed & paid out of the publick Treasury to Mr John Marion to discharge the s^d^ Accompt. [*Passed December 6.*

CHAPTER 103.

ORDER GRANTING THE PETITION OF THE COMM^EE^ FOR NORTHFIELD FOR REVIVING AN ORDER OF THE COURT AS TO TAXES.

A PETITION of Samuel Partridge Esqr &c a Committee appointed to Manage the Affairs of Northfield, for & in behalf of the Inhabitants of said Place, Shewing that the General Court did at the Sessions held at Boston May 25. 1715, Order that all Town Taxes in Northfield for the Space of five Years then next comming, should be raised on Polls as the Law directs, & on the Lands, that then were or should be allotted out or Divided &c, As by the said Order will more fully appear, Which Order has proved of great Service to the said Place, And in as much as those Difficulties, which were the Occasion of said Order do still remain, Therefore Praying that the same may be revived & continued in full Force for the Space of two Years next Coming.

Legislative Records of the Council, xi., 81.

House Journal, p. 30.

Province Laws, ix., 397, chap. 31.

Read &

Ordered that the Prayer of this Petition be Granted. [*Passed December 6.*

CHAPTER 104.

RESOLVE ALLOWING £12 TO SAM^L THAXTER.

Legislative Records of the Council, xi., 81.

House Journal, p. 61. Province Laws, ix., 567, chap. 123.

AN ACCOMPT of Samuel Thaxter, John Chandler & Jonathan Remington Esq^rs for Service, as a Committee appointed by this Court to run the Lines of Whitehall Farm & Shrewsbury, W^ch Service they perform'd In July 1717, Amounting to £12.

[Read and]

Resolved [that the Sum][1] of Twelve Pounds, be allowed & paid to the Hon^bl Samuel Thaxter to discharge the said Accompt, That is to say, Five pounds ten shillings out of the Province Treasury their Charge of Running the Lines of Shrewsbury, & Six pounds ten shillings to be paid by Joseph Buckminster Esqr for their Service in Running the Lines of Whitehall Farm, Which the s^d Buckminster Agreed to pay. [*Passed December 6.*

CHAPTER 105.

RESOLVE ALLOWING £22. 3. 1 TO SAM^L JORDAN.

Legislative Records of the Council, xi., 82.

Executive Records of the Council, vii., 34. House Journal, p. 63.

AN ACCOMPT presented by Samuel Jordan of his Charge in Attending the Service, he was lately sent on by the Government, Relating to the Indians, Amounting to the Sum of £22. 3. 1.

[Read and]

Resolved that the sum of Twenty two pounds three shillings & one peny, be allowed & paid out of the publick Treasury to Mr Samuel Jordan to discharge the said Accompt. [*Passed December 7.*

CHAPTER 106.

ORDER ON THE REPORT AB^T A DIVISIONAL LINE BETWEEN WATERTOWN EAST & WEST PRECINCTS.

Legislative Records of the Council, xi., 83.

Legislative Records of the Council, xi., 62. House Journal, p. 63.

WHEREAS the Great & General Court in their present Sessions, by their Order of the 19th of November, Directed a Committee to go to Watertown Viz^t Isaac Winslow, John Cushing, & Samuel Thaxter of the Council, And John Clark, William Dudley, John Chandler & William Throop of the House of Representat^ves, And to Consider the most proper Bound Line, between the East & West Precincts in s^d Town, And whether it be fit & reasonable, That either or both the Meeting houses there should be removed, And to what Place in what time &c, We therefore the said Committee having view'd the several Parts of the said Town, the Scituation of the Inhabitants there, And having heard & consider'd the Pleas & Allegations of the said Inhabitants are humbly of Opinion, That the Divisional Line between the two Precincts of Watertown commence & take its Beginning at Charles River, And to be Extended North Eastward so as to run on the East Side of Joshua Childs House, & on the same Course (being a Right Line) to run on the West Side of Thomas Streights House, And to be continued a streight Line, through said Watertown, till it intersects their North Bounds, And

[1] The words in brackets are not in the Secretary's copy, but are in the State Library copy, Legislative Records of the Council, xi., 94.

that the new or West MeetingHouse, be removed some time within two years from the Date hereof, to a Peice of rising Ground within twenty Rods Westward of Nathanael Livimore's now Dwelling House, or a new one in that Place Erected within the said two years; And that some time within the Space of ten years next after this Date, The Old or East Meeting House be removed upon, or a new Meeting House Erected on School House Hill so called in Watertown above said, within forty Rods of the Spot on which the former School House stood.

ISAAC WINSLOW, in the Name of the Committee.

Accepted &

Ordered that Samuel Thaxter Esqr be Desired to run the said Divisional Line accordingto the Report, at the Charge of the Town of Watertown, And that the Western Precinct shall pay their Proportion of the same Sum to the Removing or Rebuilding the East Meeting House, when it is done, as shall be paid for the Removal or Rebuilding their Meeting House. [*Passed December 7.*

CHAPTER 107.

RESOLVE RESPECT^G BILLINGHAM TAX.

Resolved that the Treasurer issue his Warrant to the Assessors or Select Men of the Town of Bellingham to Assess on the Persons & Estates in that Town the sum of Eight pounds, seventeen shillings & eight pence in the like Proportion, & according to the Rules directed in the Law for this present year, And that the Town of Mendon be abated the sum of Four Pounds fifteen shillings & five pence, part of what the said Town of Billingham is to pay as above, And that there be abated the sum of Four pounds two shillings & five pence from the Town of Dedham, being the Remainder of what is above Ordered to be paid by Billingham And that the Treasurer proceed in all respects in Gathering in & Receiving the same, as he doth from the other Towns in this Province. [*Passed December 7.*

Legislative Records of the Council, xi., 83.

House Journal, p. 45.

CHAPTER 108.

ORDER ON COLL. EDMUND GOFFE PET^O COMPLAINING OF A JUDGMENT.

A PETITION of Coll. Edmund Goffe, Shewing that at an Adjournm. of the Court of Common Pleas, for the County of Middlesex, held at Charlestown the fourth day of January last, Judgment was enter'd up against the Petitioner, as the Principal for One thousand Pounds, & his Sureties for Five hundred pounds each upon a Recognizance, which by its Tenour & according to Law is expired. Notwithstanding which he has accounted with & paid the Province Treasurer, And therefore Praying that the said Judgment may be vacated, both as to himself & his Sureties.

Legislative Records of the Council, xi., 85.

House Journal, p. 65.

Read &

Ordered that the Prayer of the Petition be Granted, And that the Judgment on the Bond of the Petitioner and his Sureties be Enter'd as satisfyed, The Petitioner having accompted with the Treasurer. [*Passed December 8.*

CHAPTER 109.

RESOLVE RESPECT^G PROVINCE LANDS NEAR THE SOUTH LINE & PER. WHITE'S FARM.

Legislative Records of the Council, xi., 85.

Legislative Records of the Council, xi., 48. House Journal, pp. 62, 63. *Ante*, p. 44, chap. 94.

A HEARING being had the tenth of November last, as well upon the Petition & Representation of Daniel Waldoe, referring to Two hundred Acres of Land hired by him of the Town of Dorchester & lying in the County of Plimouth, As upon the Report of Samuel Thaxter & William Dudley Esq^rs a Committee appointed by the General Assembly at their Session Nov. 1719, to view the Bounds of a certain Farm, granted by the late Colony of New Plimouth to Lieutenant Peregrine White late of Marshfield in the County of Plimouth Gentleman Dec^d Anno Dom^i 1665, The Assignees & Purchasers of the said Peregrine White's Farm & Grant being present; & fully heard as to their Claim or Challenge of Land, by Virtue of the said Grant, And the several Memorials of the Town of Dorchester, & divers Inhabitants of the Town of Brantrey (the assignees of the Town of Boston) having been since Read & Consider'd, And it appearing that the Court did in the year 1637 & 1638, bound the Town of Dorchester & the Grant made to the Town of Boston of Lands at Mount Wolleston on Plimouth Bounds, Which Bounds or Lines were ascertain'd in the year 1664, by Commissioners appointed by the Governments of the Massachusetts Bay & New Plimouth, & by them run from the middle of Accord Pond to a Stake & Heap of Stones in the Path that leadeth from Brantrey to Bridgwater, Agreable thereto the Towns of Dorchester & Boston or their Assigns, did in or about the year 1684, purchase the Native Right full up to the Line run as aforesaid, Which Line hath been reputed to be the Bounds of said Grant, for above Fifty six years last past, Wherefore,

Resolved that the said old Colony Line, be & hereby is Declared to be the Southerly Bounds of the Town of Dorchester, & of the Grant made to the Town of Boston; And that the Lands lying between the old Colony Line Southwardly & the new Colony Line Northwardly, from the Dividing Line between the Boston Grant & Weymouthe easterly & the Stake & Heap of Stones westwardly, be & hereby is confirm'd to the Town of Dorchester & the Assignees of the Town of Boston respectively, Provided it interfere not with any former Grant; And that the Residue of the said Lands to the Westward of the said Stake & Heap of Stones be to the Use of the Province,

And that the Hon^bl Samuel Thaxter, Robert Spur, & John Quincy Esq^rs be & hereby are appointed, & fully impower'd to make Sale of the said Lands at the best rate they can Return the Produce thereof into the Treasury, & make Report of their Doings to this Court. [*Passed December 8.*

CHAPTER 110.

ORDER RESPECTING Y^E PURCHASE MONEY FOR SHREWSBURY.

Legislative Records of the Council, xi., 86.

House Journal, p. 29 (1717); p. 66. Province Laws, ix., 548, chap. 79.

Ordered that Samuel Thaxter, Francis Fulham & Jonathan Remington Esq^rs (the Committee appointed by this Court Oct. 31 1717, To lay out & dispose of the Lands called Shrewsbury) be Directed to pay in the Money or Bills they have or shall receive for the same, to the Province Treasurer taking his Receipt. [*Passed December 8.*

CHAPTER 111.

ORDER ON THE COM^TEE^ REPORT RESPECT^G^ PROVINCE LANDS SOLD TO THE INHABITANTS OF WESTBORÔ.

Marlborô January 20 1719

Legislative Records of the Council, xi., 86.

House Journal, p. 66. Province Laws, ix., 561, chap. 110.

WE THE SUBSCRIBERS, whose Names are underwritten a Committee appointed by the Great & General Court or Assembly of his Majesty's Province of the Massachusetts Bay in New England, held in Boston Oct 23. 1717, To Order how much the Inhabitants of Westboro' lately made a Township shall pay for the Use of the Province for the Tract of Land granted them by the Court, supposed to be about three thousand Acres.

We having view'd the said Land, & according to the Direction of the s^d^ Court reserved & laid out one Hundred Acres thereof; for the first Settled Minister; And finding the Remainder of said Tract to contain (besides Farms) but Two thousand, two hundred & seven Acres, Do therefore Order that the Inhabitants of said Westboro', shall pay in for the said Lands to Jeremiah Allen Esqr Treasurer of this Province, Or to his Successor in the said Office, for the Use of the Province, the full & just Sum of Eighty Pounds Currant Money or good Bills of Credit of said Province at four equal Payments, Twenty Pounds part thereof, at or before the first day of June in the year 1720, & so twenty Pounds yearly & every year, until the said Sum of Eighty pounds be full paid,

SAMUEL THAXTER
JONATHAN REMINGTON
FRANCIS FULHAM

Read, &

Ordered that this Report be so far Accepted, That the Inhabitants of the Town of Westboro', pay into the Province Treasurer, for the Use of the Province the Sum of Eighty pounds in four equal Payments; Viz^t^ Twenty pounds on or before the first day of January next, Twenty pounds on or before the first day of June next, Twenty pounds on or before the first day of June Anno Dom^i^ 1722. And twenty pounds on or before the first day of June Anno Dom^i^ 1723. In Consideration of the Tract of Land mention'd in the Report. [*Passed December 8.*

CHAPTER 112.

RESOLVE ALLOWING £20 ON THE JUDGES MEM^O^ RESPECT^G^ MATHIAS BANT.

Legislative Records of the Council, xi., 88.

House Journal, p. 73.

A MEMORIAL of the Judges of Assize, Shewing that one Matthias Bant being committed upon a Suspicion of Murther, Upon Examination into the Fact they find it cannot be tried here, & therefore have Determined to send him to Barbados, where the Fact was committed, And therefore Moving that some Provision may be made for the Support & Satisfaction of William Binfit & Richard Fortune the Kings Evidences ag^st^ the said Bant, Who are to be sent to Barbados with him.

Resolved that the sum of Twenty pounds be allowed & paid out of the publick Treasury to the Hon^b^l the Judges of his Majesty's Superiour Court of Judicature, to be employed as they shall think most proper, for the Support & Satisfaction of Binfit & Fortune, the two Witnesses mention'd in the Memorial. [*Passed December 9.*

CHAPTER 113.

ORDER FOR ADJOURNING MIDDLESEX COURT.

Legislative Records of the Council, xi., 89.

House Journal, p. 73.

WHEREAS the Time appointed by Law for the Sitting of the Court of General Sessions of the Peace, & Inferiour Court of Common Pleas for the[1] County of Middlesex at Charlestown is Tuesday the thirteenth Instant,

Ordered that the Justices of the said Court of General Sessions of the Peace & Inferiour Court of Common Pleas be Directed to Adjourn the said Courts to some further Time, that so the Members of the General Assembly concern'd in said Courts may attend the publick Business in this Session. [*Passed December 10.*

CHAPTER 114.

ORDER RESPECT^G GRANTS TO MR JOHN COLLINS & MR JOHN COTTON.

Legislative Records of the Council, xi., 91.

Maps and Plans, ix., 10. Legislative Records of the Council, viii., 326, 330; ix., 280. House Journal, p. 75. Province Laws, viii., 243, chap. 48; 246, chap. 57.

IN THE HOUSE OF REPRESENTAT^VES This House being fully informed that Two Tracts of Land formerly Granted by this Government, One to the Revd Mr John Collins, & the other to the Revd Mr John Cotton, both laid out many years since, near the South Line of this Province, & were Confirm'd to the said Grantees, their Heirs & Assigns respectively, being then within the Province old Line, But upon the new Fixing the Partition Line with Connecticut Anno 1713, Express Provision was made by the Commissioners of both Governm^ts fully Impower'd, that the Property of the said Grants, should remain to the said Grantees &c, Altho' the said Grants should fall within the Colony of Connecticut, & an Equivalent should be given to said Government for the same, And it appearing that upon running the said Line, that said Grants fell within the Colony of Connecticut, This Governm^t according to the solemn Stipulation, gave & Connecticut actually receiv'd an Equivalent for said Grants, Since which Mr Collins's Grant has been made good to him in another place within this Province, And the former Five hundred Acres is become the proper Estate of this Government, Notwithstanding which both said Grants are possess'd & Improv'd by Persons, who have no Pretension of a Grant from either Government, And although Mr Cotton brought forward an Action through the Course of the Common Law, for recov'ring said Land within said Colony, He was finally Cast & he is without Remedy there,

Resolved that the Government of Connecticut be Written to very pressingly by Mr Secretary Willard in the name of this Court, That Justice may be done to this Province in the Premises.

In Council, Read & Concur'd. [*Passed December 12.*

CHAPTER 115.

RESOLVE ON ELISHA COOK ESQ^RS PETITION RESPECTING GRANTS OF LAND MADE TO MR JOHN COTTON.

Legislative Records of the Council, xi., 91.

A PETITION of Elisha Cook Esqr Shewing that upon the Petition of Dr Increase Mather, Josiah & Theophilus Cotton to the General Court

[1] MS. obscure.

in their Session in October 1710, That some suitable Persons may be appointed to Lay out one or two Tracts of Land (As they should chuse) in Persuance of two Grants made to the Revd Mr John Cotton One in the year 1641, of Six hundred, & another Grant to his Heirs of Two hundred Acres (In both which the Petitioners were interested) It was Ordered that an able Surveyour should lay out the said Grants in any Place in the Province, not Entrenching upon former Grants, Four hundred Acres thereof to Mr Seaborn Cotton, Eldest Son of the Grantee, & the other Four hundred to the other two Children of the Grantee or their Heirs, Since which the Petitioner hath purchased of the Assigns of the said Seaborn Cotton, & of the Descendents & Assigns of the other two Children the aforesaid Two Grants of Eight hundred Acres of Land, He therefore Prays, that the Land, Survey'd, platted, described & dilineated in the Platt herewith presented lying & being in the County of York, on the Head Line or Bounds of the Township of Berwick, containing Eight hundred Acres, as bounded & butted in the Aforesaid Survey may be confirm'd to fulfil the Grants of Eight hundred Acres of Land to the Revd Mr John Cotton dec^d The same being done by a Surveyour & Chain Men under Oath; As by the Justices Certificate doth Appear.

Legislative Records of the Council, ix., 75. House Journal, p. 75. Province Laws, ix., 147, chap. 90. *Supra*, chap. 114.

[Read and]

Resolved that the Land delineated in this Platt, be confirm'd to the Assignees of the Revd Mr John Cotton late of Boston Dec^d to fulfill & Satisfy the Grant made by this Court to him Anno 1641 of Six hundred Acres, & an other of Two hundred Acres more granted to his Heirs Anno 1670 Provided it entrench upon no former Grant, nor exceed the Quantity granted nor the Grants, or either of them, have been laid out before. [*Passed December 12.*

CHAPTER 116.

RESOLVE ON A PETITION RESPECT^G A STRIP OF LAND BETWEEN THE OLD & NEW COLONY.

A PETITION of the Representat^ves of the Towns of Hingham, Weymouth, Brantrey & Dorchester all in the County of Suffolk, Shewing that whereas there is a small Strip of Land lying between the old & new Colony Line; Viz, Beginning at Accord Pond & Terminating at the Heap of Stones or Stake, Westerly in the Path going from Boston to Bridgwater, Which has for near Sixty years lain within the County of Suffolk, And if not Continued in said County may cause many troublesome Disputes & unhappy Differences in future Times, Particularly for that a great many People's Lots, which are already very small will be Divided, & lye partly in the County of Suffolk & partly in the County of Plimouth, whereby many Inconveniences will inivetably ensue to the Proprietors of the same or Setlers thereupon, And therefore Praying that the said Strip of Land for the Reasons aforesaid may be & Continue within the Jurisdiction of the County of Suffolk.

Legislative Records of the Council, xi., 93. House Journal, pp. 75, 76. *Ante*, p. 50, chap. 109.

Resolved that the Prayer of this Petition be granted, Provided that no Man's Right or Property in the Lands adjacent, shall be hereby Infringed. [*Passed December 13.*

CHAPTER 117.

RESOLVE ALLOWING £24 TO JOHN BELL.

Legislative Records of the Council, xi., 82, 93.

House Journal, p. 76.

A PETITION of Samuel Partridge Esqr in behalf of John Bell a Soldier under his Command at Northfield, Who during his being in the Service, fell down on the Ice with an Ax in his Hand, with which he grievously wounded his Knee, so that his Life was in Danger, The Docters Accompt of his Administration & Expences, Amounting to the sum of Forty three Pounds, For which he is now willing to take Twenty four Pounds, Praying that in consideration of the Incapacity of the said Bell to discharge the said Accompt. It may be paid out of the publick Treasury.

[Read and]

Resolved that the sum of Twenty four pounds be allowed & paid out of the publick Treasury to Samuel Partridge Esqr to discharge the Accompt mentioned in the Petition. [*Passed December 13.*

CHAPTER 118.

VOTE RESPECT^G NORTHFIELD GARRISON.

Legislative Records of the Council, xi., 94.

House Journal, p. 76.

Voted that ten Soldiers be posted at the Town of Northfield in the publick Pay, & there Continued till the last day of November next, none of the Inhabitants of said Town to be of the Number. [*Passed December 13.*

CHAPTER 119.

RESOLVE ALLOWING £4. 7. 6 TO JOS. MARION.

Legislative Records of the Council, xi., 94.

House Journal, p. 76.

AN ACCOMPT presented by Joseph Marion of Writing done by him for the General Assembly, Amounting to the sum of Four pounds, seven shillings & six pence,

[Read and]

Resolved that the sum of Four pounds seven shillings & six pence be Allowed & paid out of the publick Treasury to Mr Joseph Marion to discharge the said Accompt. [*Passed December 13.*

CHAPTER 120.

RESOLVE ALLOWING £6. 17 TO DISCHARGE TYLEY & ROLF'S ACC^T.

Legislative Records of the Council, xi., 94.

House Journal, p. 77.

AN ACCOMPT of Samuel Tyley & Benjamin Rolfe of Writing by them done for the General Assembly, Amounting to the sum of £6. 17.

[Read and]

Resolved that the sum of Six pounds seventeen shillings be Allowed & paid out of the publick Treasury to Mr Saml Tyley & Mr Benjamin Rolfe to discharge the said Accompt. [*Passed December 13.*

CHAPTER 121.

RESOLVE ACCEPTING THE ACC^T OF THE COMMISSION^RS FOR £100,000 LOAN FOR SUFFOLK &c.

In the House of Representat^ves,

Two ACCOMPTS of the Commissioners for Letting out the Proportion of the Hundred thousand Pounds of Province Bills, belonging to the Counties of Suffolk & Nantucket, Begining with the Time of their Entering upon that Trust, & Ending the thirteenth day of February 1718, 19, being laid before this House, By wch they had then receiv'd for Interest the sum of Two thousand, five hundred, fifty four pounds, fourteen shillings & seven pence, & had paid to the Treasurer the sum of Two thousand, three hundred, thirty three pounds, one shilling & one peny thereof, The Remaining Two hundred, twenty one pounds, thirteen shillings & six pence being Accompted for as their Due by Law, & Expended in Books & Book-keeping, There being then the sum of One hundred twenty three Pounds two shillings & six pence, of the Principal in their Hands, not Let out, & the Sum of Seventy eight pounds & ten shillings of Interest outstanding & to be Accompted for;

Resolved that the said Accompts be Accepted, & Allowed, And that the said Commissioners be discharg'd accordingly.

In Council, Read & Concur'd. [*Passed December 13.*

Legislative Records of the Council, xi., 94.

House Journal, p. 70. Province Laws, ii., 61, chap. 18. *Ante*, p. 20, chap. 37. *Infra*, chap. 122.

CHAPTER 122.

RESOLVE ON THE COMMISS^RS FOR THE £100,000 LOAN FOR ESSEX, THEIR ACC^T.

In the House of Representat^ves

THREE ACCOMPTS of the Commissioners for Letting out the Proportion of the Hundred thousand Pounds of Province Bills belonging to the County of Essex, Beginning with the Time of their Entring upon that Trust, & Ending the thirteenth day of February 1719/20, being laid before the House, by which they had then receiv'd for Interest the Sum of One thousand five hundred, twenty two pounds, twelve shillings & five pence, & had paid into the Treasury the Sum of One Thousand two hundred, twenty one Pounds seventeen shillings & five pence thereof, And accompt for the remaining Three hundred Pounds, fifteen Shillings as follows, One Hundred sixty five pounds, thirteen shillings & eleven pence their Due by Law, Forty Pounds ten shillings & six pence paid Charges of Law Suits, Thirty two Pounds, Books & Book Keeping, Forty one Pounds, fifteen Shillings & seven pence Tavern Expences, & Twenty Pounds fifteen Shillings Charge of Journeying & long Detainment in Fetching the Bills from Boston, There being the Sum of Eight hundred & thirteen Pounds four Shillings & three pence of the Principal in their Hands not let out, And the Sum of Six hundred twenty Pounds ten shillings, & eleven pence Interest due, outstanding to be accompted for.

Resolved [that][1] the said two Articles of Expence, Viz^t Forty one Pounds fifteen Shillings & seven pence, & Twenty Pounds fifteen shillings be not allowed, But that the Commissioners forthwith Pay the same, being the sum of Sixty two Pounds ten shillings & seven pence

Legislative Records of the Council, xi., 95.

House Journal, pp. 70, 71. Province Laws, ii., 61, chap. 18. *Supra*, chap. 121. *Infra*, chap. 123.

[1] State Library copy, Legislative Records of the Council, xi., 112.

into the Treasurer, And that thereupon their Accompt be Accepted & Allowed, & they discharg'd accordingly.

In Council, Read & Concur'd. [*Passed December 13.*

CHAPTER 123.

RESOLVE ON ACC^TS OF THE COMMISSION^RS FOR THE £100,000 LOAN, FOR MIDDELSEX.

Legislative Records of the Council, xi., 95.

House Journal, p. 71. Province Laws, ii., 61, chap. 18. *Supra*, chap. 122. *Infra*, chap. 124.

In the House of Representat^ves

THREE ACCOMPTS of the Commissioners for Letting out the Proportion of the Hundred thousand Pounds of Province Bills belonging to the County of Middlesex Beginning from the Time of their Entering upon that Trust, & Ending the thirteenth Day of February 1719/20, being laid before this House, By which they had then receiv'd for Interest the Sum of Sixteen hundred, eighty eight pounds, nineteen Shillings & eleven pence, And had paid into the Treasurer, The Sum of One thousand, five hundred Pounds, twelve Shillings & nine Pence thereof, And Accompt for the Remaining One hundred & eighty eight Pounds, seven shillings & two pence Viz^t One hundred, forty five Pounds, seven shillings & two pence their Due by Law, Twenty three Pounds for Books & Book Keeping, & Twenty Pounds Tavern Expences, There being in their Hands the Sum of Seven Pounds of the Principal not let out, & Five hundred seventy five Pounds, seventeen shillings & eight Pence Interest then Outstanding to be Accompted for.

Resolved that the said Article of Twenty Pounds Expence be not Allowed, but that the said Commissioners, forthwith Pay the same into the Treasurer, And that thereupon their said Accompts be Accepted & Allowed, & they Discharg'd accordingly.

In Council, Read & Concur'd. [*Passed December 13.*

CHAPTER 124.

RESOLVE ON ACC^TS OF THE COMMISS^RS FOR Y^E £100,000 LOAN FOR HAMPSHIRE.

Legislative Records of the Council, xi., 95.

House Journal, p. 72. Province Laws, ii., 61, chap. 18. *Supra*, chap. 123. *Infra*, chap. 125.

In the House of Representat^ves

TWO ACCOMPTS of the Commissioners for Letting out the Proportion of the Hundred Thousand Pounds, Bills of Credit, belonging to the County of Hampshire, Beginning from the Time of their Entering upon that Trust, & Ending the thirteenth Day of February 1718, 19, being laid before this House, by which they had then receiv'd for Interest the Sum of Four hundred, & fifteen Pounds, one Shilling & one Penny, & had paid in to the Treasurer the Sum of Three hundred fifty seven Pounds nineteen Shillings & ten Pence thereof, And Accompt for the remaining Fifty seven Pounds one Shilling & three Pence as follows, Viz^t Thirty three Pounds, one Shilling & three Pence their Due by Law, Nine Pounds Charge of Books & Book Keeping, & Fifteen Pounds the Charge of Fetching the Bills from Boston, There being no part of the Principal in their Hands nor Interest Outstanding.

Resolved that the Article of Fifteen Pounds for Fetching the Bills be not Allowed, but that the said Commissioners forthwith Pay the same to the Treasurer, And that thereupon the said Accompts be Accepted & Allowed, & they discharg'd accordingly. In Council, Read & Concur'd. [*Passed December 13.*

CHAPTER 125.

RESOLVE ON ACC^TS OF THE COMMISSION^RS FOR THE £100,000 LOAN FOR PLIMOUTH.

In the House of Representat^ves

THREE ACCOMPTS of the Commissioner for Letting out the Proportion of the Hundred thousand Pounds of Province Bills belonging to the County of Plimouth, Beginning from the Time of their Entering upon the said Trust, & Ending the thirteenth Day of February 1719, 20, being laid before the House, By which they had then receiv'd for Interest the Sum of Eight hundred, & eleven Pounds, & four pence & had paid in to the Treasurer, the Sum of Seven Hundred, thirteen Pounds, eight Shillings thereof, And Accompt for the remaining Ninety seven Pounds, twelve shillings & four pence as follows, vizt Fifty two Pounds, five shillings, & one penny their Due by Law, Twenty six Pounds eight Shillings & nine Pence, Charges on Law Suits, & Eighteen Pounds, eighteen Shillings & six pence for Books & Book Keeping, The Sum of One hundred & seven Pounds eleven shillings & four pence Interest Money then outstanding to be Accompted for, All the Principal being Let out.

Resolved that the said Accompts be Allowed & Accepted, And that the said Commissioners be discharged accordingly.

In Council, Read & Concur'd. [*Passed December 13.*

Legislative Records of the Council, xi., 96.

House Journal, p. 71. Province Laws, ii., 61, chap. 18. *Supra*, chap. 124. *Infra*, chap. 126.

CHAPTER 126.

RESOLVE ON ACC^T OF THE COMMISSION^S FOR THE £100,000 LOAN FOR BRISTOL.

In the House of Representat^ves

THREE ACCOMPTS of the Commissioners for Letting out the Proportion of the Hundred Thousand Pound Bills of Credit, Belonging to the County of Bristol, Beginning from the Time of their Entering upon that Trust, & Ending the thirteenth Day of February 1719, 20, being laid before this House, By which they had then receiv'd for Interest, the Sum of One Thousand, one hundred, & eighty Pounds sixteen Shillings, & had paid in to the Treasurer the Sum of One thousand & eighty four Pounds, seven shillings & eleven pence thereof, And Accompt for the Remaining Ninety seven Pounds, eight Shillings & one Penny as follows, Viz^t Sixty four Pounds & five Pence their Due by Law, Twenty one Pounds one Shilling & eight pence, Charge of Books & Book Keeping, & Thirteen Pounds six Shillings, Charge of Fetching the Bills from Boston &c, The Sum of Thirty Pounds of the Principal lying in their Hands not let out, to be accompted for And no Interest said to be Outstanding.

Resolved that the said Article of Thirteen Pounds six Shillings Charge of Fetching the Bills &c be not allowed, but that the Commissioners pay in ye same without Delay to the Treasurer, And that there upon their said Accompts be Accepted & Allowed & they discharg'd accordingly.

In Council, Read & Concur'd. [*Passed December 13.*

Legislative Records of the Council, xi., 96.

House Journal, p. 71. Province Laws, ii., 61, chap. 18. *Supra*, chap. 125. *Infra*, chap. 127.

CHAPTER 127.

RESOLVE ON ACCT OF THE COMMISSIONRS FOR THE £100,000 LOAN FOR YORK.

Legislative Records of the Council, xi., 96.

House Journal, p. 72. Province Laws, ii., 61, chap. 18. *Supra*, chap. 126. *Infra*, chap. 128.

In the House of Representves

TWO ACCOMPTS of the Commissioners for Letting out the Proportion of the Hundred Thousand Pounds, of Province Bills, belonging to the County of York, Beginning from the Time of their Entering upon that Trust, & Ending the thirteenth day of February 1719, 20, being laid before this House, By which they had then receiv'd for Interest the Sum of Ninety Pounds, seventeen shillings & two pence, And had paid in to the Treasurer the Sum of Seventy four Pounds, fifteen Shillings & Accompt for the Remaining Sixteen Pounds, two Shillings & five pence as follows Vizt Six Pounds, twelve shillings & five pence their Due by Law, Forty Shillings Charge of Books & Book Keeping, & Seven Pounds ten shillings Charge of Fetching the Bills from Boston, The Sum of Eighty one pounds of the Principal being in their Hands, & Nine Pounds, nineteen shillings & two pence Interest outstanding to be Accompted for.

Resolved that the said Article of Seven Pounds & ten Shillings, Charges of Fetching the Bills be not allowed, but that the said Commissioners pay in the same without Delay to the Treasurer, And that thereupon their said Accompts be Accepted, & Allowed, & they Discharg'd accordingly.

In Council, Read & Concur'd. [*Passed December 13.*

CHAPTER 128.

RESOLVE ON ACCTS OF THE COMMISSIONRS OF THE £100,000 LOAN FOR BARNSTABLE & DUKES COUNTY.

Legislative Records of the Council, xi., 97.

House Journal, pp. 71, 72. Province Laws, ii., 61, chap. 18. *Supra*, chap. 127. *Infra*, chap. 129.

In the House of Representatves

THREE ACCOMPTS of the Commissioners for Letting out the Proportion of the Hundred Thousand Pounds of Province Bills, belonging to the County of Barnstable & Dukes County, Beginning from the Time of their Entering upon that Trust, & Ending the thirteenth day of February 1719, 20, being laid before this House by which they had then receiv'd for Interest the Sum of Nine hundred, twenty one Pounds, fifteen Shillings & one penny, & had paid in to the Treasurer ye Sum of Eight hundred, twenty eight Pounds, & nine Pence thereof, And accompt for the remaining Ninety three Pounds, fourteen Shillings & four pence as follows Vizt Sixty two Pounds, eighteen Shillings & four pence their Due by Law, Twenty Pounds & one Shilling, Charges of Books & Book Keeping, And Ten Pounds, fifteen Shillings, Charge of Fetching the Bills from Boston &c, The Sum of Thirty two Pounds, eighteen shillings, & nine pence of the Principal in their Hands not let out, & Five Pounds Interest to be Accompted for

Resolved that the said Article of Ten Pounds, fifteen Shillings the Charge of Fetching the Bills be not allowed, but that the Commissioners forthwith pay the same to the Treasurer, And that thereupon their said Accompts be Accepted & Allowed, & they discharged accordingly.

In Council, Read & Concur'd. [*Passed December 13.*

CHAPTER 129.

VOTE RESPECT^G SWANZEY & SHEWAMET.

A PETITION of John Thomas, & Sixty three others, Inhabitants of the Town of Swanzey, Setting forth, That the People of Shewamet, tho' not included in the Township of Swanzey, intrude themselves into their Meetings, & by Joining with an ill disposed Party in said Town, obstruct their publick Affairs both Civil and Ecclesiastical, And therefore Praying that this Court will please to declare, That such only have a Right of Voting in all their Meetings that concern the Town & Church as are Inhabitants within the ancient fix'd Limits of the said Town, as were setled in the Year 1685, distinct from the Inhabitants of Shewamet Purchase so called, Or that the Petitioners may meet with such other Relief in order to promote the Religion, Peace & Unity of the said Town, as to the Goodness & Wisdom of this Hon^b^l Court shall seem meet.

Legislative Records of the Council, xi., 74, 97.

House Journal, p. 69. Legislative Records of the Council, xi., 81.

A Hearing having been had on Tuesday last on this Petition, And it not appearing that the Tract of Land called Shewamet was ever included in or Annex'd to the Town of Swanzy by any Act of the Governm^t of the late Colony of New Plimouth or this Province, But on the contrary, in a printed Act of the said late Colony, Constituting the County of Bristol, Shewamet is enumerated distinct from Swanzey, And the said Town of Swanzey is said to be bounded on Shewamet in an Order of Court of said Colony 1685,

Resolved that the Prayer of this Petition be so far granted as that the Inhabitants of Shewamet be & hereby are Declared to have no Right to vote or intermeddle with the Affairs of the Town of Swanzey, And that all Acts & Transactions heretofore made or done by any Town or Proprietors Meeting in the Town of Swanzey, Including the Proprietors of Shewamet shall be good & effectual, And that Rates or Dues levied or to be levied this present Year by the present Town Officers, shall be accordingly levied, collected & paid in as Directed, And that no Disposal of Land or any Thing of that Nature be acted or done by any Meeting of the Inhabitants or Proprietors of Swanzey with Shewamet before the General Town Meeting in March next, when the Vote above shall take place & not before. [*Passed December 13.*

CHAPTER 130.

RESOLVE ON THE REP^T RESPECT^G THE DEFENCE OF THE EASTERN FRONTIERS.

COLL. TAILER from the Committee of both Houses appointed to Consider what Number of Forces are necessary to be Continued in the Service, gave in the following Report; Viz^t

Legislative Records of the Council, xi., 98.

The Committee are humbly of Opinion, That it is necessary for the Defence of the Eastern Frontiers, & for the Encouragement of the new Setlements in those Parts, That One hundred good effective Men with suitable Officers, be detached out of the Forces already raised, & that they be well provided with Moggosons & Snow Shoes, in order to their Marching as occasion requires, And the Captain General is Desired to post them in the several places as follows; Viz^t On the Western Side of the Mouth of Kennebeck River Forty Men; At Casco Bay, Thirty Men; At Scarboro' Ten Men At Saco Falls ten Men At Cape Porpoise ten And that his Excellency the Governour be desired to write

Legislative Records of the Council, xi., 45, 99. House Journal, p. 79. Province Laws, ix., 395, chap. 25.

to the Government of Piscatiqua to furnish their Quota to be added to them Per Order of the Comm^te^

WILLIAM TAILER

Read & Accepted &

Resolved that the Towns or Setlements, where the Soldiers are to be posted, be setled in a compact, regular Manner, according to the several Orders of this Court relating to the Setling of the Eastern Parts, As they expect the further Protection & Assistance of this Governm^t^. [*Passed December 14.*

CHAPTER 131.

RESOLVE ALLOWING £4. 4 TO W^M^ PATTIN.

Legislative Records of the Council, xi., 99.

House Journal, p. 78.

AN ACCOMPT of William Pattin of the Expences of several Committees of this Court at his House, Amounting to the Sum of £4. 4.

[Read and]

Resolved that the sum of Four pounds four Shillings be allowed & paid out of the publick Treasury to William Pattin the Accomptant to discharge the said Accompt. [*Passed December 14.*

CHAPTER 132.

RESOLVE ALLOWING £4. 9. 6 TO JOS. HILLER.

Legislative Records of the Council, xi., 99.

House Journal, p. 78.

AN ACCOMPT presented by Joseph Hiller of Writing done for the General Court, Amounting to the Sum of £4. 9. 6.

[Read and]

Resolved, that the Sum of Four pounds nine Shillings & six pence be allowed & paid out of the publick Treasury to Joseph Hiller to discharge the said Accompt. [*Passed December 14.*

CHAPTER 133.

ORDER GRANTING MELIT^H^ BOURN ESQ^R^ HIS PETITION FOR PURCHASE OF AN INDIAN ISLAND.

Legislative Records of the Council, xi., 99.

House Journal, p. 50.

A PETITION of Meletiah Bourn Esqr of Sandwich, Shewing, Whereas Nathan Wicket & his Wife (Indians) have a small Island of Fifteen Acres of Land in Monument Bay adjacent to the County of Barnstable, which they are willing to sell in order to purchase other Lands on the Main that may be more convenient for their Use, And whereas Shearjashub Bourne Esqr Father of the Petitioner had a Grant of the General Court in the year 1694, To purchase two small parcels of Land, One of them, being a Neck of Land running into a Fresh Pond, with some Parcels of Out Lands Adjoining to it, That the said Island lies conveniently for his Use, & that his Father did not purchase the above^s^ Lands in his Life time, And therefore Praying Licence for him & his Heirs to purchase the said Island of the said Nathan Wicket, & the other Lands mentioned, He giving the true Value thereof, in the Judgm^t^

of any Persons appointed by this Court to be Trustees in behalf of the Indians.

Read, &

Ordered that the Prayer of this Petition be granted, & that the Honb[l] John Otis Esq[r] Coll. William Bassit, & M[r] Eldad Tupper be appointed Trustees in Behalf of the Indians to see that Justice be done them in the Sale, And to take Care that the Money paid for the Lands be laid out for other Lands most accommodable for the Indians, & Make Report of their Doings to this Court. [*Passed December 14.*

CHAPTER 134.

ORDER FOR THE COMMISSIONERS OF THE £50,000 LOAN SUING OUT FORFEITED MORTGAGES &c[A].

WHEREAS it may prove Injurious and of Damage both to the Province and to particular persons Concerned in Case the Trustees for the Fifty Thousand pounds Loan delay, Either Suing out the Forfeited Mortgages, or Taking out and Levying. Executions after Judgm[t] obtained on Such Forfeited Mortgages, Since the Three years, Given for Redemption, begins but from the Time that the Mortgagee, gets into Possesion,

Legislative Records of the Council, xi., 100.

House Journal, p. 80. Province Laws, i., 750, chap. 10.

Resolved and Ordered That the Said Trustees without any Delay Sue out all Such Mortgages, as are forfeited to the Province and upon Expiration of the Time Limited by law For Mortgages to take out and Serve Executions, Accordingly, Unless the Mortgager shall without Judgment or Execution deliver up possesion. [*Passed December 15.*

CHAPTER 135.

RESOLVE FOR ADVANCING THE PAY OF THE FORCES.

Resolved that the Marching forces now in the Service be allowed Eight Shillings p[r] week for their pay, and the officers that are Inhabitants of, or belonging to this Province in the Same proportion. [*Passed December 15.*

Legislative Records of the Council, xi., 101.

House Journal, p. 76.

CHAPTER 136.

RESOLVE FOR EMITTING £10,000 IN BILLS OF CREDIT AND PROVIDING SECURITY: SEV[LL] SPECIES TO BE REC[D] INSTEAD OF BILLS.

Resolved that the Treasurer be & hereby is Directed to Issue forth & Emit the sum of Ten thousand pounds of the Bills of Publick Credit, that are or shall be receiv'd into the Treasury for Payment of Publick Debts of the Province, already contracted for the Defence & Support of the Governm[t] & the necessary Protection & Preservation of the Inhabitants of this Province, & for Subsisting of Forts & Garrisons, & the Wages arising for their Service. For Payment of Grants, Salaries & Allowances made & to be made by this Court according to such Draughts, as from Time to Time shall be made upon him, by Warrant or Order from the Governour or Commander in Cheif for the Time being, by & with the Advice & Consent of the Council.

Legislative Records of the Council, xi., 89, 101.

Legislative Records of the Council, xi., 92. House Journal, p. 68.

And the said Bills shall pass out of the Treasury at the Value express'd in them equivalent to Money, & shall be so taken & Accepted in all publick Payments.

And that the Dutys of Impost & Excise, shall be a Fund & Security for the Repayment & Drawing the said Bills into the Treasury again;

And as a further Fund & Security for the same, It is further,

Resolved, That there be & hereby is Granted to his most Excellent Majesty for the Ends & Uses as aforesaid, a Tax of Ten thousand pounds to be Livied upon Polls & Estates both real & personal within this Province, according to such Rules & in such proportion, as shall be Agreed on & Order'd by the Great & General Assembly of this Province at their Session in May Anno Domini One thousand, seven hundred & twenty five, And paid into the Treasury on or before the last Day of December next after,

And whereas thro' the Scarcity of Bills of Credit, It grows difficult for Persons to convert the Produce of their Lands & other Effects into Bills, & Pay their Rates with them, It is further,

Ordered that the Inhabitants of this Province, shall have Liberty (If they see cause) to pay the several Sums, that shall be on them respectively Assess'd in the several Species hereafter mention'd, At such Rates & Prices as the General Assembly shall set them; Viz^t In good Merchantable Barrel Beef or Pork, or in Wheat Peas Barley, Rye, Indian Corn, Oats, Flax, Hemp, Bees Wax, Butter in Firkins, Cheese Hides, Tann'd Leather, Dry Fish, Mackerel in Barrels, Oyl, Whale Bone, Bay berry Wax or Tallow; Which several Species shall be receiv'd by the Treasurer of the several Constables or Collectors, And be by him Disposed of for the best Advantage for the Calling in of the said Bills into the Treasury.

And if any Loss by the Sale of the aforesaid Species or by any other unforeseen Accident shall arise, Then such Difficiency shall be made good, by a Tax of the Year next following, so as fully & effectually to call in the Whole of the said Sum of Ten thousand Pounds of Bills, Emitted as aforesaid. [*Passed December 15.*

CHAPTER 137.

RESOLVE ALLOWING £50 TO THE LIEUT. GOVERNOR.

Legislative Records of the Council, xi., 105.

House Journal, p. 80.

Resolved that the Sum of Fifty pounds be allowed and paid out of the publick Treasury to the Honb^le William Dummer Esqr Lieu^t Govr in Consideration of his readiness at all times to Serve this Province. [*Passed December 16.*

CHAPTER 138.

RESOLVE ALLOWING £100 ADDITIONAL TO THE JUDGES.

Legislative Records of the Council, xi., 105.

House Journal, p. 81.

UPON A MOTION being made and Consideration had of the Growing Charge & Expence that attends the Honb^le Judges of the Superiour Court of Judicature in the discharge of their office.

Resolved, That the Sum of one hundred pounds be farther allowed; & paid out of the publick Treasury to the s^d Honb^le Judges. [*Passed December 16.*

CHAPTER 139.

RESOLVE ALLOWING £50 ADDITIONAL TO MR PRESID^T LEVERETT.

Legislative Records of the Council, xi., 105.

House Journal, p. 77.

Resolved That the Sum of Fifty pounds be added to the allowance of the Revr^d Mr John Leverett, President of Harvard Colledge for the year Coming Beginning In January next. [*Passed December 16.*

CHAPTER 140.

RESOLVE ALLOWING £500 TO MR AGENT DUMMER.

Legislative Records of the Council, xi., 105.

House Journal, p. 81.

Resolved that the Sum of Five hundred pounds, be allowed & paid out of the publick Treasury, to Jeremiah Dummer Esqr agent for this Province or his Order further to Enable him to negotiate the affairs thereof. [*Passed December 16.*

CHAPTER 141.

RESOLVE ALLOWING £125 TO THE SECRETARY.

Legislative Records of the Council, xi., 105.

House Journal, p. 76.

Resolved that the Sum of one hundred and Twenty Five pounds be allowed & paid out of the publick Treasury To Josiah Willard Esqr for his Extrodinary Service to the Province. [*Passed December 16.*

CHAPTER 142.

RESOLVE ALLOWING £30 TO MR JOHN WHITE.

Legislative Records of the Council, xi., 106.

House Journal, p. 82.

In the House of Representatives

Resolved that the Sum of Thirty pounds be allowed & paid out of the publick Treasury to John White Clerk of this House for his Service in the year Curr^t.,

In Council read & Concurred. [*Passed December 16.*

CHAPTER 143.

RESOLVE ALLOWING £25 TO JOHN FLAGG.

Legislative Records of the Council, xi., 106.

House Journal, p. 82.

Resolved that the Sum of Twenty Five pounds, be allowed & paid out of the publick Treasury to Mr John Flag Doorkeeper to His Excellency the Govr & this Court for his Service half a year, Ending, the twenty Sixth day of this March. [*Passed December 16.*

CHAPTER 144.

RESOLVE ALLOWING £10 ADDITIONAL TO MR JOHN WHITE.

Legislative Records of the Council, xi., 106.

House Journal, p. 82.

In the House of Representatives,

Resolved, That the Sum of Ten pounds, be allowed & paid out of the publick Treasury to John White Clerk of this House, for his Service & transcribing the Votes of this House for the press, this present Year.

In Council read & Concurred. [*Passed December 16.*

CHAPTER 145.

ORDER CONTINUING GYLES DYERS PETITION.

Legislative Records of the Council, xi., 106.

House Journal, p. 85.

Ante, p. 20, chap. 38.

A PETITION of Gyles Dyer Esqr As Entred Novr 26th 1719 and Voted thereon, Novr 27th 1719, & last passed upon, July 23^d 1720.

[Read and]

Ordered, that the Further Consideration of this petition be Continued, to the Sessions of this Court in may next, and that Executions on both Sides, be Stayed in the Meantime. [*Passed December 17.*

CHAPTER 146.

VOTE RESPECTING PUBLICK NOTARYS; VOTE FOR SENDING TO THE AGENT ABO^T Y^E AFFAIR OF THE PUBLICK NOTARY.

Legislative Records of the Council, xi., 108.

Legislative Records of the Council, xi., 50, 103.

House Journal, pp. 84, 85.

Province Laws, i., 732.

A HEARING being had this day before the whole General Court, upon the memorial of Samuel Tyley & Joseph Hillier, two of the publick Notarys, of and for this Province being chosen and appointed thereto, by the General Assembly, Setting forth, That Joseph Marion of Boston Scrivener, Claims the office of a publick Notary, & Acts as Such by Virtue of a Commission, from his Grace the Archbishop of Cantebury, which Commission was accordingly produced and read.

Resolved, That by the Royall Charter of this Province, Granted by King William & Queen Mary of Glorious Memory, the Nomination and appointment of all Civil officers within this Province (Excepting Such the Election and constitution whereof, are by the Said Charter reserved to his Majesty or to the Governour or Commander in Chief of the Province) of right appertains to, and is one of the Undoubted priveledges of the Great and General Court or assembly of the Province, And that the office of publick Notary, being not reserved to their S^d Late Majesties & their Successours, the Nomination and appointm^t of persons to that office, of right & by Virtue of the Royall Charter is Vested in his Majesties Governm^t of this Province, & has been at all times So practised, And that for any person or persons within this Province, to Claim or Act, in the S^d office without a Commission from this Governm^t is Contrary to and a Breach of the priveledges of the Royall Charter, and that Mr Joseph Marion, be Served with a Copy of this Resolve, & be directed to Act no further as Notary publick in this Province, Unless he be chosen to that office by this Court,[1]

[1] The record here adds: "Consented to, provided it is not Contrary to an Act of Parliament;" the governor's action, no doubt.

Ordered that a Copy of the Resolve, relating to Mr Hillers & Mr Tyleys Memorial, be transmitted to Mr Agent Dummer, with directions to vindicate the proceedings of this Court, in that affair If occasion shall be. [*Passed December 17.*

CHAPTER 147.

RESOLVE ALLOWING £500 TO THE GOVERNOR.

Legislative Records of the Council, xi., 111.

Resolved, That the Sum of Five hundred pounds, be allowed & paid out of the publick Treasury to his Excellency Samuel Shute Esqr Captain General & Govr in chief of this his Majestie's Province, for his Support in managing the affairs of the Government. [*Passed December 17.*

Legislative Records of the Council, xi., 104, 106, 111. Executive Records of the Council, vii., 218. House Journal, p. 80.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON ON THE FIFTEENTH DAY OF MARCH, A.D. 1720.

CHAPTER 148.

ORDER GRANTING ISAAC FAREWELLS PETITION FOR APPROVAL OF PURCHASE OF INDIAN LANDS.

Legislative Records of the Council, xi., 114.

House Journal, pp. 4, 5.

A PETITION of Isaac Farewell, shewing that his land in the Town of Sutton, happens to be so laid out as to abut on the Southwest Angle of the Hassanimisco Lands, and that he has no accomadable place to Build on near the Country Road, unless he can purchase a Small tract, of the Hassanimisco Indians at the S^d^ Southwest Angle, that the Indians are very willing to sell the same to the petitioner, and praying that he may obtain the allowance and approbation: of this Court, for his purchase of the S^d^ Tract, of Land, A plat whereof, is herewith Exhibited, the same hav^g^ been Surveyed, & Contains Eighteen Acres, for which he is to Give Nine Pounds.

Read &

Ordered, that the prayer of this petition be Granted; and that John Chandler Esqr be desired to take care that Justice be done to the Indians in the purchase, and to dispose of the purchase Consideration in the best manner he can for the Benefit of the S^d^ Indians. [*Passed March 16.*

CHAPTER 149.

RESOLVE ON QUESTION RESPECTG ASSESORS OF PRECINCT RATES.

Legislative Records of the Council, xi., 118.

House Journal, p. 6. Province Laws, i., 406, chap. 26; 420.

QUESTION: Whither that Clause in the Law Entituled An Act directing how rates or Taxes to be Granted by the Generall Assembly shall be assesed and Collected in the Words following, Viz^t^ ["]and Such Select men or assessors shall be under the like obligation of, the oath administred to them, for making the publick Tax, Equally and Impartially to proportion, Such County or Town, Assesments by the Same Rule,"[1] doth Extend to all Assessors, in the proportioning, of Precinct or district or Parish Rates or assesments, Granted or agreed on, by any Legall Meeting, of the Inhabitants, of Such Precincts district or Parish regularly Set off?

Resolved in the affirmative. [*Passed March 18.*

[1] The quotation is not exact, but apart from punctuation, the difference is immaterial.

CHAPTER 150.

DRAUGHT OF A PROCLAMATION FOR A PUBLIKE FAST ADVISED.

Legislative Records of the Council, xi., 118.

House Journal, pp. 5, 6, 7, 9, 12. Love's Fast and Thanksgiving Days of New England, p. 489.

Samuel Sewall Esq[R] from the Committee of the Board, appointed to prepare, the Draught of a Proclamation, for a General Fast, reported the Same.

which was read at the Board, and advised that his Excellency Issue forth the S[d] Proclamation. [*Passed* * *March 20.*[1]

CHAPTER 151.

ORDER ABOUT Y[E] NIEGHBOUR[G] GOVERNMENTS PROPORTION OF TRANSPORT HIRE ANNO 1710.

Legislative Records of the Council, xi., 123.

House Journal, pp. 17, 18. Province Laws, ix., 143, chap. 78.

Whereas this Government pursuant to the directions, of the Council of Warr, Consisting of the then Govenour of this Province, Generall Nicholson & the Govenours of the Neighbouring Colonys, Concerned in an Expedition, by order of her late Majesty, Queen Anne, for the Reduction of Port Royall Anno 1710, did take up Equip & pay Six Transport Vessells, besides the Transports for their Own Troops, that were Improved to transport, Sundry of her Majesties Stores, Ordered, to be Sent & Necessary in the Said Expedition, and the Said Council

[1] The preliminary proceedings are important. They were as follows: —

"In the House of Representatives March 16th 1720,

Ordered That Elisha Cook Esq[r] M[r] Ebenezer Stone & John Clark Esq[rs], with Such as the Hon[ble] board shall appoint, be a Committee to prepare & Lay before this Court a draught of a proclamation for the observance and Solemnizing of a day of publick Fasting with prayer to allmighty God, throughout the Several Towns, & precincts within this Province, upon the present Grounds & occasions thereof.

In Council read & non Concurred, and

Voted, that a Message, be Sent down to the Honble: House of Representatives, That the Board hav[g] ordered precedents, to be Searched do not find, that the House have heretofore appointed a Committee, to Join, in drawing up a proclamation for a publick Fast, and have therefore non concurred, their order passed Yesterday, but have directed a proclamation to be prepared which will be communicated to the House, Sent down by Benj[a] Lynde & Thom[s] Fitch Esq[rs],

Ordered, That Sam[l] Sewall Paul Dudley, & John Burrill Esq[rs] be a Committee, to prepare and lay before the Board, a draught of a proclamation, for a General Fast, to be observed Throughout this Province, on Thursday the Twentyeth of april Next.

A Message came up from the House of Representatives, by Elisha Cook William Dudley Esq[r] Cp[t] John Gardner John Chandler Esq[r] & John Clark Esq[r], that the House insist on their Vote of Yesterday, for the appointment of a publick Fast, inasmuch as they are of opinion, that if the appointment of Such days has not the Sanction of the whole Court, persons are not Liable to be punished, if they work or Travell thereon, which, Will tend to a great disorder." — Legislative Records of the Council, xi., 115.

"In Council

Voted that a message be Sent down to the Honb[le] House of Representatives, that the Board apprehend that their message Sent this morning referring to a Fast was mistaken, for that they are very ready and Glad to have the Concurrance of the House (during the Session of the General Assembly) in appointing a General Fast, but find that it has always been the method of this Government for his Excelle[y] the Gov[r], with advice of the Council (and during the Session of the General Assembly) at the desire or motion of the Representatives, to Issue out proclamations for the publick Fasts &c[a] and accordingly his Excelleney, with the advice of the Council, and at the Instance of the House, has ordered a proclamation, for a publick Fast to be drawn and Communicated to the House, Sent down by Penn Townsend John Appleton, Edward Bromfield, John Otis, Nath[l] Norden, and Addington Davenport, Esq[rs]

A Message came up from the Representatives by John Clark, Elisha Cook, John Quincy, Esq[rs], Cap[t] John Gardner, Cap[t] William Pepperill, M[r] Samuel Came, & Cap[t] Will[m] Throop, that the House do not find, that the Message of the Board was mistaken by them, but must needs think, that the Honb[le] Board is mistaken in their last message, when they Say that his Excelleney, with advice of the Council, & at the Instance of the House has ordered a proclamation for a publick Fast, to be drawn, they having made no Such Instance but Voted a Committee to Join with a Committee of the Honb[le] Board, to prepare the Draught of Such a Proclamation." — Legislative Records of the Council, xi., 116.

of Warr, did adjust to Each of the Governments their proportion, to the Charge of the Said Transports, according to the Quota then appointed, by her Said Late Majesty, the Proportion of the Province of New Hampshire, being Fifty Five pounds Twelve Shillings & Eight pence, to the Colony of Connecticutt, one hundred & Ninety pounds, Fourteen Shillings & three pence half penny, To the Colony of Rhode Island, One hundred & Eleven pounds Five Shillings & three pence half penny; and whereas, the Said Governments have not yet repaid, the Said Sums to this Province, So long Since advanced for them.

Ordered, That pressing Applications be made to Each of the S^d^ Governments for the obtaining of the Said Debts, Justly due from them to this Province. [*Passed March 23.*

CHAPTER 152.

ORDER ON WILLIAM SALISBURY &c^A^ THEIR PETITION FOR PERAMBULATION OF LANDS.

Legislative Records of the Council, xi., 123.

House Journal, p. 17.

A PETITION of William Salisbury in behalf of himself and others, proprietors of a Tract of Land called ye gore or outlet which is part of a tract of Land formerly Granted, by the General Court of New Plymouth, Called Shewammett Purchase, praying this Court to Appoint a Committee, to perambulate the divisional Line, between the S^d^ Lands, and the Grants adjoyning.

Read &

Ordered that the prayer of the petition be Granted, and that the Honb^le^ Saml Thaxter, and William Dudley Esqr, & Capt William Throop, be a Committee to run the Line, mentioned in the petition, Seasonably Notifying the Towns Concerned, of the time of their Attending the Said Service, The Charge of ye Committee to be defreyed by the petitioner. [*Passed March 23.*

CHAPTER 153.

ORDER ON PETITION OF Y^E^ NORTH PRECINCT IN LYNN IN REGARD TO LEGALITY OF TOWN MEETINGS.

Legislative Records of the Council, xi., 124.

House Journal, p. 17.

A PETITION of John Pierson, Nathl Gowing, Willm Eason, & George Hirst, in Behalf of the North, Precinct in Lynn Setting forth that many disputes & Controversys, have arisen, Touching the Legality, of thier Meetings & the assesments made on thier Inhabitants, and praying this Court to Enable, them to, Call and hold a Legal precinct meeting, that So thier differences may be Ended.

Read and

Ordered That the Several Assesments, made by the Assessors, of the North Precinct in Lynn 1717, 1718, 1719, 1720, are Good & Legal, the S^d^ Assesors for those Years, being under oath, for the Faithfull Discharge of thier Trust, and that the Several & Respective meetings in which the S^d^ Assessors were chosen, (and also a precinct Clerk) be Confirmed & fully allowed, as if the Said Assessors, had been Chosen a Committee for the management, of the affairs & prudentials, of that Precinct, and that the present Assessors, Viz^t^ for the Year 1720, be and hereby are Impowered, to Call a precinct meeting, Sometime in this month of March, If it may be Conveniently, otherwise in the month

of April Next, by a Warrant. under thier hands directed, to the Constable or other person they shall appoint to warn, the Freeholders, & other Inhabitants Qualified according to Law, within that precinct to meet at Such time & place, as the S^d^ Assessors Shall agree on and Setting forth in the Said Warrant the occasion of thier meeting, Viz^t^ to Chuse a Precinct Clerk, a Collector and all other officers, whatsoever Necessary and as directed in the Law, and to Appoint a Method for Calling Precinct meetings for the Future, any Law usage or Custom to the Contrary notwithstanding.

And the Inhabitants of the S^d^ Precinct are hereby advis^d^ and directed to proceed in the Good Work of Supporting the Gospel Ministry, among them with Unaniminity,[1] and Good agreement, that they with, thier posterity, may reap the happy Fruits thereof. [*Passed March 23.*

CHAPTER 154.

RESOLVE ON MEMORIAL OF THE TRUSTEES FOR THE £50,000 LOAN OF BILLS.

A Memorial of Addington Davenport, Thomas Hutchinson, John White & Edwd Hutchinson, Trustees of the Fifty Thousand pounds Loan, of the Bills of Credit, Shewing that they have recieved in about, Thirty Seven Thousand pounds, of the principall and between Seven & Eight, Thousand pounds, as Interest, and that they have Sued & recovered, Judgment on more than Forty Deeds of Mortgages, & praying direction from this Court, where Judgment is obtained, or the persons are ready to deliver up their Lands, whither Such persons shall be allowed, to Continue in possession, during the time limited, for redemption, or Any, that will hire the Same be put in as Tennants, or what other Course, the Court shall think proper to be taken,

Legislative Records of the Council, xi., 127.

Legislative Records of the Council, ix., 432. House Journal, p. 19. Province Laws, i., 750, chap. 10. *Ante*, p. 61, chap. 134.

[Read and]

Resolved, That the S^d^ Trustees of the Fifty Thous^d^ pounds Loan of Province Bills be Impowered to Suffer & keep in possession, untill the time of Redemption is Expired, any person or persons, that have Surrendered, or have been Ejected out of thier Estates, for not paying the principall Borrowed and Interest due thereon, provided, Such person, or persons, become & attorn Tennants to the S^d^ Trustees in behalf of the province, and by Some Suitable way, Secure the payment of the Rent, of & for Such Estates (which shall Amount to the Interest of the principall Money borrowed or So much, thereof as is outstanding) & provided Such Mortgager in no Wise make any Strip Waste, or Spoil on the Lands &c^a^ mortgaged, & Where any person hath paid no Interest, on his Mortgage, In Such Case, before the trustees allow Repossession, he shall pay all the Interest, and Charges due thereon, Provided also, & it is hereby declared, that the Three Years Given by Law for the Equity of Redemption, shall Commence, & Go on, from the time, Either that the Trustees have taken, or may hereafter take possession, by Execution in Law, or the Surrender of the party or the Attornment of the Tennant, or Mortgager. [*Passed March 25.*

[1] *Sic.*

CHAPTER 155.

ORDER FOR ADJOURNING THE COURTS IN THE COUNTY OF ESSEX.

Legislative Records of the Council, xi., 126.

House Journal, p. 21. Province Laws, ii., 137, chap. 4.

WHEREAS the time appointed by Law for the Sitting, of the Court of General Sessions of the peace and Inferiour Court of Common pleas for the County of Essex at Ipswich is Tuesday the Twenty Eigth Instant;

Ordered, That the Justices of the Said Court, of General Sessions of the peace, and Inferiour Court of Common pleas, be directed to adjourn the Said Courts, to Some Further time, that, So the Members, of the General Assembly Concern^d in, the S^d Courts may attend, the publick Buisiness in this sessions. [*Passed March 25.*

CHAPTER 156.

ORDER ON M^R THO^S CRAIGHEADS PETITION AS TO TAXES FOR SUPPORT OF THE MINISTRY AT FREETOWN.

Legislative Records of the Council, xi., 131.

House Journal, p. 24. Province Laws, ix., 695, chap. 110.

A PETITION of Thos Craighead Minister of Freetown, Shewing that the Said Town, chose Such Constables, as refuse to Gather the Tax assessed for his Maintenance, whereby he is in Great Want, The Town being In arrears to him about Two hundred pounds, and, praying, that Some other persons may be appointed to Collect his Dues, Or Such other Methods taken for his relief as to this Court shall Seem most proper.

Read, & Whereas, the Constables, or Collectors of The Towns of Freetown in the County of Bristoll for the Years 1718 & 1719 do neglect & refuse to Collect and Gather, the rates or assessments, made for those two Years, although Two rate Bills, with Sufficient, Warrants, to them annexed, from the Assessors under oath of that Town, have been Committed to the two Constables, Viz^t to George Winslow Constable in the Year 1718, Amo^t to the Sum of Sixty Five pounds, & payable, to the Revr^d Mr Craighead for and towards his Support, in the Work of the Ministry in that Town, and to Thomas Durfey Constable, in & for the Year 1719 amo^t to the Sum of Sixty Five pounds, & payable as afores^d and for the Use aforesaid, for remedy whereof and to oblige the Said Constables to their respective duties.

It is hereby

Resolved, & Ordered, that the Justices in General Sessions of the peace for the S^d County of Bristoll, be Impowered & directed, to Grant out Warrants of Distress or Executions directed to the Sherriff, of that County, to distrain the Goods or Estate reall or personall, of the Said Defective Constable respectively to the Value of the Sums due from them, & make Sale of Such Estate Reall or personall, Returning the Overplus to them, & pay to the Revr^d Mr Craighead, the Said Sums, amo^t In the Whole to One hundred & Thirty pounds, and the administrators, or Executors of John Hathway Junr Constable, of the Said Town, for the Year 1717, who had a rate amo^t to the Sum of Thirty Two pounds, Ten Shillings for the Use aforesaid, and Warrant Sufficient to the Same, Annexed from the Assessors under oath, and who died before the Collecting of the S^d Rates; be Enabled, and are hereby Impowered, to Collect the Same, & pay it into the hands of the Revr^d Mr Craighead and in case the Executors or administrators, do refuse to Collect ye Same that the rate be Committed, into the Hands of Mr John Barney, Deputy Sherriff of that County, who is hereby authorized, and directed, to follow the directions of the Warrant, to the rate annexed, and the Rules & directions, of the Law in that Case made and provided. [*Passed March 29.*

CHAPTER 157.

RESOLVE ALLOWING £48. 5. 6 TO NICHOLAS BOON.

An Accompt of Nicholas Boon, for paper & printing of the Votes of the House of Representatives, at their last Session, and Blank Mortgages, delivered the Commissioners of the £100,000 Loan amo^t to, £48. 5. 6.

Legislative Records of the Council, xi., 132.

House Journal, p. 21.

[Read and]

Resolved, That the Sum of Forty Eight pounds, Five Shillings and Six pence, be allowed and paid out of the publick Treasury to Mr Nicholas Boon, the Accomptant, to discharge this Accompt. [*Passed March 29.*

CHAPTER 158.

RESOLVE ALLOWING £2. 10 TO JAMES SCOLLY.

An Accompt of James Scolly, for his Service at Several times, as Messenger to the House of Representatives this Year.

Legislative Records of the Council, xi., 133.

House Journal, p. 15.

[Read and]

Resolved that the Sum of Two pounds Ten Shillings, be allowed and paid out of the publick Treasury to Mr James Scolly, the Accomptant in full of this Acco^t. [*Passed March 30.*

CHAPTER 159.

RESOLVE ALLOWING £4. 6 TO DISCHARGE TYLEY & ROLFES ACCO^T.

An Accompt of Writing done for the Publick by Saml Tyley & Benj^a Rolfe, amo^t to the Sum of Four pounds Six Shillings.

Legislative Records of the Council, xi., 134.

House Journal, p. 30.

[Read and]

Resolved That the Sum of Four pounds & Six Shillings be allowed & paid out of the publick Treasury, to Mr Samuel Tyley and Mr Benj^a Rolfe to discharge the S^d Accompt. [*Passed March 31.*

CHAPTER 160.

ORDER FOR MAK^G £50,000 IN BILLS OF CREDIT.

Ordered, that the Committee who made the last Bills of Credit on this Province, be desired and directed, to print and finish off as Soon as may be, the Sum of Fifty Thousand pounds, upon the plates and in proportion as is directed, In the Bill Entituled an Act, for the making & Emitting the Sum of Fifty Thousand pounds in Bills of Credit, on this Province in Such manner, as is hereafter directed,[1] pass^d this Session, and Deliver them to the Province Treasurer, Taking his reciept for the Same, the S^d Committee to be paid for thier Service, as for the last they made. [*Passed March 31.*

Legislative Records of the Council, xi., 135.

House Journal, p. 31. Province Laws, ii., 189, chap. 14; 198.

[1] For "directed" the title to the Act reads "expressed."

RESOLVES, ORDERS, VOTES, ETC.

Passed 1721.

LEGISLATIVE LIST[1]

FOR

1721.

HIS EXCELLENCY SAMUEL SHUTE,

CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, ESQ.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusets;

WILLIAM TAYLER
PENN TOWNSEND
SAMUEL SEWALL
JOHN APPLETON
SAMUEL PATRIDGE
EDWARD BROMFIELD
NATHANIEL NORDEN
THOMAS NOYES
BENJAMIN LYNDE
} ESQRS.

ADDINGTON DAVENPORT
THOMAS HUTCHINON
SAMUEL BROWN
THOMAS FITCH
ADAM WINTHROP
JONATHAN DOWSE
SAMUEL THAXTER
JOHN BURRILL
JOHN TURNER
} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

NATHANIEL BYFIELD
ISAAC WINSLOW
} ESQRS.

JOHN CUSHING
JOHN OTIS
} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Mayn;

JOHN WHEELWRIGHT, JOSEPH HAMMOND & CHARLES FROST, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

PAUL DUDLEY, ESQ.

[1] See Legislative Records of the Council, xi., 136–139.

For the Province, at large: —

EDMUND QUINCY & SPENCER PHIPS, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 31, 1721 to July 20, 1721.

MR. JOHN CLARK, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq., Elisha Cook, Esq., William Hutchinson, Esq., Mr. William Clark.
Roxbury, . . William Dudley, Esq.
Dorchester, . . Lieut. Col. Robert Spurr.
Braintree, . . Major John Quincy.
Hingham, . . Mr. Nathaniel Hubbard.
Milton, . . . Mr. Ephraim Tucker.
Weymouth, . . Mr. John Torrey.
Dedham, . . Mr. Joseph Ellis.
Medfield, . . Mr. Henry Adams.
Mendon, . . . Mr. Thomas Sanford.
Wrentham, . . Mr. Robert Ware.
Woodstock, . . John Chandler, Esq.
Oxford, . . . Capt. Richard Moor.
Brooklyn, . . Mr. Edward White.

COUNTY OF ESSEX.

Salem, . . . Daniel Eps, Esq., Capt. John Gardner.
Ipswich, . . . John Wainwright, Esq., Mr. Nathaniel Knolton.
Newbury, . . Mr. Nathaniel Coffin.
Mblehead, . . Mr. William Stacey.
Lynn, . . . Mr. Richard Johnson.
Beverly, . . . Capt. Joseph Herrick.
Wenham, . . Mr. Joseph Gott.
Topsfield, . . Capt. Tobijah Perkins.
Andover, . . Benjamin Stevens, Esq.
Haverill, . . Mr. John Saunders.
Boxford, . . . Mr. Joseph Hale.
Rowley, . . . Mr. Timothy Harris.
Salisbury, . . Mr. Isaac Morrill.
Amesbury, . . Capt. John Foot.
Glocester, . . Mr. Samuel Stevens.

COUNTY OF MIDDLESEX.

Cambridge, . . Spencer Phips, Esq.
Charlestown, . Mr. Ebenezer Austin, Mr. John Rand.
Watertown, . . Mr. Samuel Stearns.

COUNTY OF MIDDLESEX — *Concluded.*

Newton, . . . Mr. Ebenezer Stone.
Sudbury, . . Mr. John Rice.
Marlborô, . . Capt. Peter Rice
Sherburne, . . Mr. John Death.
Lancaster, . . John Houghton, Esq., Mr. Jabez Fairbanks.
Framingham, . Joseph Buckminster, Esq.
Grotton, . . . Capt. John Shipley.
Concord, . . . Mr. William Wilson.
Chelmsford, . Mr. Stephen Pierce.
Billerica, . . Mr. George Brown.
Woburn, . . . Mr. Daniel Pierce.
Reading, . . Mr. William Bryant.
Malden, . . . Capt. Joseph Dexter.
Lexington, . . Mr. Thomas Bloggett.
Weston, . . . Mr. Josiah Jones.
Stow, ... Mr. John Whitman.
Lincoln, . . . Mr. John Menzies.

COUNTY OF HAMPSHIRE.

Springfield, . Mr. Joseph Stebbins.
Northampton, . Joseph Parsons, Esq.
Hadley, . . . Mr. Luke Smith.
Hatfield, . . . Mr. John Dickinson.
Westfield, . . Mr. Samuel Ashley.
Deerfield, . . Mr. Samuel Barnard.
Brookfield, . . Mr. Joseph Jennings.

COUNTY OF PLIMOUTH.

Plimouth, . . Mr. John Foster.
Scituate, . . . Mr. James Cushing.
Marshfield, . . Mr. Jonathan Eams.
Duxbury, . . Capt. John Alden.
Bridgewater, . Mr. Richard Davenport.
Rochester, . . Samuel Prince, Esq.
Middleborô, . . Mr. John Bennett.
Plimpton, . . Mr. Benoni Lucas.
Pembrook, . . Mr. Francis Barker.

COUNTY OF BARNSTABLE.

Barnstable, . . Shubal Goreham, Esq.
Sandwich, . . Mr. Samuel Jennings.

COUNTY OF BARNSTABLE — *Concluded.*

Yarmouth, . . Mr. Samuel Knowles.
Harwich, . . Mr. Thomas Clark.
Truro, . . . Mr. John Snow.

COUNTY OF BRISTOLL.

Bristol, . . . Capt. William Throop.
Taunton, . . Mr. James Leonard.
Swanzey, . . Mr. Joseph Winslow.
Rehoboth, . . Mr. Nathaniel Peck.
Little Compton, Mr. Joseph Davenport.
Dighton, . . . Mr. David Walker.
Tiverton, . . Mr. Joseph Tabor.
Attleborô, . . Mr. David Freeman.
Norton, . . . Mr. Samuel Brentnall.
Dartmouth, . . Mr. Phillip Tabor.
Freetown, . . Mr. Nicholas Moorey.

DUKES COUNTY.

Edgar Town, . Enoch Coffin, Esq.
Chilmark, . } Zaccheus Mayhew, Esq.
Tisbury, . . }

COUNTY OF NANTUCKET.

Sherburne, George Bunker, Esq.

COUNTY OF YORK.

York, ... Mr. Samuel Came.
Kittery, . . . Mr. Joseph Dennett.
Wells, . . . Mr. Francis Sawyer.
Berwick, . . Elisha Plaistead, Esq.
Biddeford, . . Mr Pendleton Fletcher.
George Town, . John Penhollow, Esq.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON ON THE THIRTY-FIRST DAY OF MAY, A.D. 1721.

CHAPTER 1.

ORDER FOR A NEW GRANT TO THE TOWN OF SHERBURNE.

A PETITION of the Select men of the Town of Sherburne, Shewing that, their petition in the fall Session, for purchasing a Tract of Land, Supposed to be about three Thousand acres and Lying betwixt, a Tract of about Seven Thousand Acres formerly Granted to the S^d^ Town (on the Westerly part of Mendon Township & Providenee Line) was referred to this present Session, and that in the meantime, the S^d^ Town of Sherburne be permitted by a Surveyour & Chain, men Under Oath to take a plat of the S^d^ Land & Lay it before this Court: That they have accordingly Implatted the S^d^ Land proposed to be purchased, and also another Small pell: of Countrey Land, adjoyning to the Southern Bounds, of Sutton, Township, and to the Seven Thousand Acres aforesaid, amo^t^ in the Whole to Three Thousand Seven hundred and three Acres as may appear by the platt herewith Exhibited, which S^d^ Land Lys more accomadable, for Sherburne, than any other Town whatsoever, and therefore praying, that the S^d^ Town of Sherburne may be allowed to purchase, at a moderate price the Land Delineated and Set forth in ye plat before mentioned.

Legislative Records of the Council, xi., 142. Mass. Archives, cxiii., 652.

Mass. Archives, cxiii., 651. House Journal, p. 55 (1720); pp. 9, 11.

In the house of Representatives

Read and

Ordered that thes^d^ Thre thousand seven hundred acres of land petitioned for be added to the former grant to the town of Sherborn upon their paying into the treasury of the Province in Six months time, six pence for every Acre of land containd inthes^d^ platt provided it inchroach not upon any former grant

In Council,

Read & Concurred, Provided the Petitioners bring forward a Village or Settlem^t^ according to their Proposal, on the whole Tract & within the Space of ten Years.

In the House of Representatives Read and Concurred. [*Passed June 9.*

CHAPTER 2.

ORDER FOR ADDING FARMS NEAR NATICK, TO THE TOWN OF SUDBURY.

MR COOK from the Committee of petitions, offered, The Follow^g^ report, Viz^t^, Upon reading a petition, of William Jennison & Ebenezer Rice, in behalf of the Town of Sudbury, praying that Sev-

Legislative Records of the Council, xi., 143.

House Journal, p. 15 (March); p. 10.

eral Farms, Lying adjacent to the Town of Sudbury, on the South Side of the Town betwixt Sudbury & Natick, may be added to the Township of Sudbury for Ever, the Inhabitants dwelling on those Farms, hav^g desired to be Joined, to the S^d Town of Sudbury, & made part of that Township, The Committee are of Opinion that the Farms petition^d for, be annexed, from hence forth, and made part of the Township of Sudbury, and the Inhabitants thereof, to pay their proportion to all rates & Taxes, and Enjoy Equal Priveledges, with the rest of the Inhabitants of the Town of Sudbury.

Agreed. [*Passed June 9.*

CHAPTER 3.

RESOLVE ALLOWING £40 FOR THE SUPPORT OF THE MINISTRY AT BIDDEFORD.

Legislative Records of the Council, xi., 143.

House Journal, p. 12. *Ante*, p. 9, chap. 10.

A PETITION of Pendleton Fletcher, Representative of the Town of Biddeford, in the County of York, in behalf of the S^d Town, Setting forth their acknowledgment for the Favour of the Court, in Granting them Forty pounds p^r annum, for their assistance in the maintenance, of their minister, which has been a Great Encouragement to them in their Settlement, as well as a benefit to the Garrison, at his Majestys Fort Mary in the S^d Town and that the rumour of the Warr with the Indians the last Summer, was a Great Loss and Damage to them in their affairs, and has rendered them more unable, to Support their Minister, than they should otherwise, have been, And praying that this Court, would further Consider, the Low Condition of the S^d Town, and Order that the S^d Forty pounds, may be allowed them out of the publick Treasury for the S^d Service, of Maintaining their minister, for one Year more, In the House of Representatives, Read, and the Question being put, Whither the prayer of this petition be Granted, It passed in the affirmative.

In Council read & Concurred. [*Passed June 9.*

CHAPTER 4.

ORDER RESPECTING THE MEETINGHOUSE AT SUDBURY.

Legislative Records of the Council, xi., 144.

Legislative Records of the Council, ix., 425. House Journal, pp. 9, 10. Province Laws, ix., 374, chap. 83; 451, chap. 155.

UPON READING the petition of David Haynes and, Sixty three other Inhabitants of the West Side of Sudbury, River, together with another petition, of Edmond Brown, & Sixteen Other Inhabitants, on the Same Side of the River, Touching the appointing a Suitable place for the Erecting a New Meeting house, on that Side of the River in Sudbury, & the Method of maintaining the Ministers in the S^d Town.

Ordered, That there be a New Meeting house Erected built and finished, upon a place Assigned, by a former Committee of this Court, in December 1715, on the West Side of the River at a place Called Poplar Swamp Gutter, On the West Side of the S^d Gutter and Hart pond, and that the old Meeting house be put into Good Repair, and both to be done at the Charge of the whole Town, and That the Ministers on both Sides the River, be maintained & Supported by a Town Tax. [*Passed June 9.*

CHAPTER 5.

ORDER FOR CONFIRMING SWANZEY & BARRINGTONS AGREEM^T ABOUT TEACHERS & PASTORS LOTS.

Legislative Records of the Council, xi., 145.

House Journal, p. 12. *Ante*, p. 563, chap. 114.

A petition of the Church & Town of Swanzey, and the church & Town of Barrington, Shewing that whereas, there are Certain Lands, in the Said Towns, Called pastors & Teachers Lots, appropriated for Supporting & upholding, the publick Worship of God, The S^d Towns & Churches of Swanzey and Barrington, (which were one Town) have agreed upon a distribution, of S^d Land for the Uses aforesaid, praying that the S^d agreem^t be allowed, and Confirmed by this Court, Which S^d Agreement is as follows, Viz^t Whereas the Church of Swanzey did at their meeting on the 2^d day of Febr^y 1720, Chuse and Impower us John Thomas, Richard, Harding, Joseph Butterworth, John Eastabrook, John Round, Robert Carr, & John Devotion, a Committee to act for and in behalf of the S^d Church, to meet with a Committee of the Church of Barrington, relating to a division of the Lands Lying under the Denomination of Pastors and Teachers Lots, in Swanzey together with what Lands Lye under the same denomination in New Meadow Neck in Barrington, and the Church of Barrington did also at their meeting Febr^y 1st 1720/1 Chuse and Empower us Sam^ll Humphrey Josiah Torrey, & James Adams a Committee for and in behalf of the Church of Barrington, to meet with a Committee of the Church of Swanzey, to act in the Division aforesaid.

Wee the Committee being met together the Twenty Fourth of May 1721, and being fully Impowered respectively to make a Division, of all Such Lands Lying under the Denomination of Pastors & Teachers Lots aforesaid, Do by these Presents fully and absolutely agree and Consent, to the division hereafter mentioned, and that Each of the S^d Churches, shall Freely Quietly and peaceably Enjoy all the Lands above mentioned, Each Church, their proportion respectively as is hereafter mentioned, Viz^t

That the Church of Swanzey have three fifths of all Such Lands Lying under the denomination of Pastors & Teachers Lots aforesaid, and that the Church of Barrington have two fifths of Such Lands; and it is further agreed, That the Lot now in the possession of Richard Harding together with the Lott adjoyning to John Thurbar be and Remain for Ever to the Use and benefit of the Church of Swanzey, under the Care of Elder Ephraim Wheaton, for the Supporting & maintaining, the publick Worship of God there, tis' to be understood that the Lotts abovesaid, be a part of the Three Fifths, abovesaid

And it is further agreed that the Church of Barrington, shall have all the Lands Lying, under the denomination of Pastors & Teachers Lots, In New Meadow Neck in Barrington aforesaid to be and remain forever, to the use and Benefit of the Church at Barrington, now under the care of Elder Samuel Torrey, for the Supporting and maintaining the publick Worship of God, there, & What Said Lands in New Meadow Neck, want of Being thier proportionable part, with the Church of Swanzey, Respecting the Two Lots abovesaid, shall be made up both In Quantity and Quality, In any of the remaining Lots, Lying under the denomination of Pastors and Teachers Lots within the Town of Swanzey, by a Committee which Shall be Chosen for that End by Each Church, and the remaining part of Said Lands, to be divided by Said Committee to Each Church according to the proportion aforesaid, Respecting the Quantity and Quality of Said Land, And, Wee do further Covenant and agree, to and with Each other, for our Selves and in

behalf of the Churches which wee do represent, That wee will unite, together, to take all Law full Means & ways to prosecute, the premises abovesaid, with all Convenient Speed for the Finall Settlement, of the abovesaid agreement.

In Witness whereof wee the Committees abovesaid have hereunto Set our hands, the Twenty Fourth day of May 1721

SAMUEL HUMPHREY JOSIAH TORREY JAMES ADAMS	Committee for ye Town of Barrington	JOHN ROUND ROBERT CARR JN^o DEVOTION JOHN THOMAS RICH^D HARDING JOS: BUTTERWORTH JN^o EASTABROOK	Committee for ye Church of Swanzey

Read and

Ordered, That this agreement, be accepted & Confirmed. [*Passed June 9.*

CHAPTER 6.

ORDER ON MARY SERGEANTS PETITION IMPOWERING HER TO SELL LAND.

Legislative Records of the Council, xi., 146.

House Journal, p. 12.

A PETITION of Mary Sergeant Relict Widow of Thomas Sergeant, Late of Amesbury in the County of Essex, dec^d Intestate and administratrix of his Estate Shewing that her S^d Husband, Mortgaged, about Forty Five Acres of Land unto the Commissioners of the £100,000 for the County of Essex, Sometime before his death, That Soon after he agreed, with his Brother John Sergeant for the Sale of Eighteen Acres of the S^d Land, for one hundred pounds, the Sum for which the Whole was mortgaged but did not perfect the Said Sale, before his death, which happened Soon after, and therefore praying that the S^d petitioner, may be Enabled to Compleat, the Bargain for the S^d Land, and Execute Good & Sufficient Deeds in the Law for the Same, by an Act of this Court, In the House of Representatives Read and

Ordered, That the prayer of the petition be Granted and that the petitioner be allowed, to bring in a Bill accordingly

In Council read & Concurred

Provided, Nevertheless, the Land be Still Subject to the Mortgage, made to the Commissioners of the hundred Thousand pounds

In the House of Representatives Read & Concurred. [*Passed June 9.*

CHAPTER 7.

VOTE ANNEXING TO LITTLETON SUNDRY INHABITANTS OF THE TOWNS OF CONCORD & CHELMSFORD IN REGARD TO SUPPORT OF THE MINISTRY.

Legislative Records of the Council, xi., 147.

House Journal, p. 12.

A PETITION of Benj^a Robbins, and Sundry other Inhabitants, of the Town of Concord and Chelmsford, Shewing, that, they are Seituate, at a Considerable distance, from the Respective Meeting Houses of the Towns to which they belong, by reason of which and the badness of the Roads, and Weather, at Sometimes in the Year, they are obliged to be absent from the publick Worship of God in the S^d Towns, and unable to attend other dutys & Services in the S^d Towns, without Great difficulty, and therefore praying that this Court would please

to Sett them their Families and Estates off from the S^d^ Towns, & place them to the Town of Littleton, to have & Enjoy, Such priveledges & Immunities, as other Inhabitants have & Enjoy.

Read, and the Question, being put whither, the petition be Granted, It passed in the Negative, But Inasmuch as the Representatives of the Towns of Concord & Chelmsford, desire that they may be Sett off to the Town of Littleton So far as to pay the Charges, of the Ministry in Littleton, till this Court shall order otherwise.

Voted that the petitioners be dismiss^d^ from the Charges of the Ministry in Concord & Chelmsford, they paying their proportion of that Charge to the Town of Littleton, and that the Assessors of Littleton be Impowered to assess them Accordingly. [*Passed June 10.*

CHAPTER 8.

VOTE RESPECTING KITTERY PORT; BREAST WORK FOR SIX GUNS TO BE ERECTED AT KITTERY.

Legislative Records of the Council, xi., 150.

House Journal, p. 17. Province Laws, ix., 389, chap. 7.

Whereas King Charles, the First, on the First day of April, in the Fifteenth Year of his reign, did Give Grant & Confirm, to Sr Ferdinando Gorges his heirs & assigns, all that part purpart & portion of the Main Land of New England, beginning at the Entrance of Piscataqua Harbour, and So to pass up the Same, into the River, of Newichawonnock, & through the Same unto the Furthest Head thereof, and from thence Northwest ward, untill one hundred & Twenty miles, be finished &c^a^, to have & to hold the S^d^ Tract of Land, & premises, with all & Singular the Rights Members & appurtenances unto the S^d^ Ferdinando Gorge his heirs & Assigns, to his and their proper use, & Behoof for ever

That Sometime after the Governour & Company of the late Colony of the Massachusets Bay, purchased the aforesaid Tract of Land, and appurtenances, which are the Rights & members thereof, of the Assigns of the S^d^ Sir Ferdinando Gorges and Bona Fide, paid upwards of Two Thousand pounds, for the purchase Consideration, And the aforesaid Tract of Land, with all and Singular, the rights & appurtenances thereto, belonging were Confirmed, to the Inhabitants of this Province, in the Grant of the Royall Charter, by King William, & Queen Mary, of Blessed Memory, & Incorporated with the Lands of the Massachusets Bay & other Tracts, & put under the Governm^t^ thereof, Notwithstanding which the Naval officer of the Government of New Hampshire Exacts and takes from the Inhabitants of this Province, unjust Duties & Impositions for passing in their own Vessells, In and through that Side of the River, though they neither take in nor put out any Sort of Goods Wares or Merchandize within that Government, their Buisiness, being chiefly to go to the Saw Mills, to load the produce of the Province, and Transport it to Boston, and Elsewhere

Voted That the right of the Province in and to the River Commonly Called Piscataqua River, be asserted and maintained to avoid the Unjust, Demands of the Navall officer of the Government of New Hampshire, and in Order to effect the Same,

Resolved, That a Breast Work for Six Guns, be Erected in Some Convenient place, in the Town of Kittery, for the defence of the River That Six Guns with Carriages Powder & Shot, be Ordered to the Town of Kittery, and That all, Ships & other Vessells that Load or unload, at the Port of Kittery, be obliged to Enter and Clear, with the Navall officer there, and, pay the duties of Impost and powder Money, according to Law, That all Harbours in Kittery and Berwick shall belong to the port of Kittery. [*Passed June 14.*

CHAPTER 9.

VOTE RESPECTING SOLDIERS TO BE POSTED ON Y^E FRONTIERS.

Legislative Records of the Council, xi., 152.

House Journal, p. 18. *Ante*, p. 59, chap. 130.

Voted, That only Fifty able Soldiers, be forthwith Enlisted and Employed with one Suitable officer, to Command on the Frontiers, between Penobscot River, & Winneposocket Pond, or Merrimeck River, that part of them, be constantly Scouting Hunting, and discovering The Rivers ponds, Carrying places & Hunting Grounds, between the aforesaid Rivers, Taking account of the nature & Quality of the Land, Keeping Journals of their proceedings, and the Said men, be allowed Extrodinary Wages for their Encouragem^t, Provided they Send Journals, as aforesaid to the Secretarys office, and That ten men more be Employed, for the purposes aforesaid, between Merrimeck River & Connecticut River and to the West ward thereof, and that after one Years Service, any or all the men, aforesaid be Exchanged (if they so desire) for others as Capable men, for the Ends aforesaid, So that the Province may have Good Pilots, and Guides in Case of a Warr, or as Occasion requires, and that when the aforesaid Soldiers are Enlisted, The hundred men detached last Year be forthwith dismiss^d. [*Passed June 15.*

CHAPTER 10.

ORDER ON RICH^D KENTS PETITION COMPLAINING OF A JUDGMENT.

Legislative Records of the Council, xi., 152, 155.

House Journal, pp. 22, 23.

A PETITION of Richard Kent of Newbury Esqr Shewing that at a Court of Quarter Sessions of the peace held At Newbury, In September last, he preferred, a Complaint, Sett^s forth, that being possessed in Fee of a house, & Land near a place Called Watts Cellar in Newbury, which he had Quietly Enjoyed for Some Considerable time, and Improved and fenced in the Land without any disturbance, but that on or about the 17th of Sept^r, Jonathan Greely, Elias Pyke and Anthony Downer, under pretence of a Warr^t Granted by Henry Sommersby Esqr did come to the petitioners house, & pull Down the Garden Fence, and did Spoil and wast the S^d Garden to the Gr^t Damage of the petitioner, that the S^d Court Continued the Consideration, of his S^d Complaint, to Decr Following That the petitioner Supposing that the Court would act no further on his Complaint, Title of Land being concerned in the Controversy, did bring his Writt of Trespass, upon the case against the S^d Jonathan Greely, Elias Pyke, and Anthony Downer for Illegally pulling Down, and Carrying away his Garden fence, to be tried in December last; but it being alledged that the petitioners Complaint, afore mentioned was under Consideration of the Court of General Sessions, at the Same time Holden, The Court would not proceed, to tryall of his Action, untill his Complaint be withdrawn, upon the withdrawing of which his Said Action was Continued, to the Next Inferiour Court of Common pleas; when the petitioner recovered Judgment against the Defendant for £6. 11/ being the Damage Sued for and Costs; from which Judgment the Defendants, appealed to the Next Superiour Court, held at Ipswich, In the County of Essex in May last, when and where the Writt was Barred upon the pleas Reserved at the Inferiour Court, and the Judgment of the Said Court reversed, and the Appellants recovered Costs against the petitioner; and for asmuch as he concieves himself, Greatly Injured in his Rights, and is without Remedy in the Law, Humbly praying that the Judges of the Superiour Court may be

Impowered, to proceed to a Tryall of his S^d^ Action De Novo, (upon his Making a New Entry) by a Jury as if no pleas in bar had ever been made or that he may have such other relief, in the Premises, As to their Wisdom and Justice shall see meet, In Council Read & *Ordered*

That a hearing be had on this petition on Wednesday, the Twenty first Instant and that the petitioner serve the adverse party, with a Copy thereof,

In the House of Representatives Read and Concurred with the Following amendment, Viz^t^ that the hearing, be deferred to the Second Wednesday, of the Next fall Session.

In Council read & Concurred. [*Passed June 16.*

CHAPTER 11.

ORDER ON BRIMFIELD PETITION FOR ADDITIONAL GRANT OF LAND.

A petition of the Inhabitants of Brimfield Shewing that In, running, the Late dividing Line, between this Province and the Colony of Connecticut, it Hath Cut off from the Said Town of Brimfield, Whereby it is very much Strait'ned & Incommoded, that they have formerly petitioned, for an Equivalent, of Land, on the Easterly Bounds of the S^d^ Plantation, which hath not been Granted, by Reason of some obstructions respecting Maj^r^ General Winthrops Farms and praying that an additionall Grant of three Miles or more on the East part of the S^d^ Plantation, according to a plat, herewith Exhibited may be allowed, by this Court for Encouragement of the S^d^ plantation, Read &

Ordered That Brimfield be Extended, three Miles more Eastward, according to the projection, in the plat & return of a former Committee, under, their hands, Saving always to the Heirs of the Honb^le^ Wait Winthrop Esqr Dec^d^, & Mr John Eliot dec^d^, their rights laid out, within Said Tract, or any other Former Grant, that has been made and Surveyed, in this additionall Grant to the Town of Brinfield. [*Passed June 16.*

Legislative Records of the Council, xi., 156.

Mass. Archives, cxiv., 59, 61,[1] 63. Legislative Records of the Council, ix., 389, 401. House Journal, p. 23. Province Laws, ix., 356, chap. 23; 362, chap. 48; 436, chap. 128; 554, chap. 92.

CHAPTER 12.

VOTE ALLOWING THE TREASURER OF THE COUNTY OF YORKE HIS ACCOMPT.

An Acco^nt^ of Abraham Prebble Treasurer of ye County of York, beginning April 6th 1720, and Ending April 4th 1721, being presented to the Court, of General Sessions of the peace for the S^d^ County & by them allowed,

Read and

Ordered, That the S^d^ accompt be allowed. [*Passed June 16.*

Legislative Records of the Council, xi., 156.

House Journal, p. 23.

[1] This page of the Archives has been pasted into the book wrongly; p. 62 should be 61, and *vice versa*.

CHAPTER 13.

RESOLVE ALLOWING £6 TO JOHN BILLINGS FOR KEEPING AN INDIAN.

Legislative Records of the Council, xi., 156.

House Journal, p. 25.

A PETITION of John Billing of Dorchester, shewing that he has now under his care an old Indian named Thom^s Oucunganock, who labours under Great Infirmities and the Loss of his Eye Sight, having continued blind for above Seven Years past, Whereby he is Utterly disabled from Supporting himself, That the petitioner (tho no ways obliged to it) has taken care of the Said Indian for Several Years, & Every Year recieved a Small Sum of money, out of the publick Treasury, Towards his Support and therefore praying that this Court, would please to order Something for the S^d Indians relief, or discharge the petitioner from any Further Care of him,

[Read and]

Resolved, That the Sum of Six pounds, be allowed and paid out of the publick Treasury, to Capt John Billing, for keeping the S^d Indian, Wocuncanug, the Year past. [*Passed June 16.*

CHAPTER 14.

ORDER FOR PUTT^G £30,000 BILLS OF CREDIT INTO THE TREASURERS HANDS.

Legislative Records of the Council, xi., 157.

Legislative Records of the Council, xi., 133, 135. House Journal, p. 21.

Ordered, That the Thirty Thousand pounds, already finished (as by advice of the Committee) being part of the Fifty Thousand pounds, Ordered to be Emitted, by the General Court at their last Sessions shall be Lodged, in the Hands of the Province Treasurer, untill the Whole be finished. [*Passed June 16.*

CHAPTER 15.

ORDER FOR A PENSION TO JN^O TAPPIN.

Legislative Records of the Council, xi., 157.

House Journal, p. 25.

A PETITION of John Tappin of Salisbury Shewing that in the Year 1675, being a Soldier in the Service of this Province, against the Indians, he recieved a very Grievous Wound, by which he has been Ever Since, much disabled from Labour, being deprived of the Use of his right arm, and being now advanced in years, he is utterly uncapable of Working, for a Livelihood, and therefore praying the Compassion of this Court, That a pension may be allowed him out of the Treasury for Life. Read &

Ordered That Five pounds p^r annum, be allowed, and paid out of the publick Treasury, to John Toppin, during his Natural Life. [*Passed June 16.*

CHAPTER 16.

RESOLVE ANNEXING LANDS NEAR OXFORD &c^a TO THE COUNTY OF SUFFOLK.

William Dudley Esq^R hav^g Informed, the house, That he had Sold the Ten Thous^d Acres of Land Lying, between the Towns of Oxford Lancaster[1] and Brinfield, by order of this Court, but Could not Give a title to th^m because the Land was not Laid out, to any County Bordering on it,

Resolved, That the S^d Ten Thousand Acres of Land Lying between the S^d Towns, be annexed to and accounted as part of the County of Suffolk from this time. [*Passed June 16.*

Legislative Records of the Council, xi., 158.

House Journal, p. 24. Province Laws, ix., 681, chap. 81.

CHAPTER 17.

ORDER FOR CONTINU^G JOSEPH AYRES PETITION AS TO AN APPEAL.

A petition of Joseph Ayres, of Brookfield in the County of Hampshire, praying that he, may be allowed to bring in a Bill to Enable him, to file his Complaint, against Henry Gilbert, of S^d Town, at the Next Superiour Court, of Judicature for the Said County, for his not prosecuting his appeal, The petition^r having neglected to file his S^d Complaint, at the last Court, through his Ignorance of the Law, In that Case.

Read, and Continued, to the Next Session. [*Passed June 17.*

Legislative Records of the Council, xi., 158, 159.

House Journal, p. 25.

CHAPTER 18.

RESOLVE ON LANCASTER PETITION FOR CONFIRMATION OF NEW LAND GRANT.

A Petition of the Inhabitants of Lancaster, and, Proprietors of Lands purchased of George Tohanto an Indian Saggamore &c^a Shewing, that whereas the General Court, did in the Year 1713, make a Grant and Confirmation of the Said Lands to them as it was Set forth and described, in the Report of a Committee, Sent by the Court, to View and Lay out the Same That in the Year 1720, A Vote was pass^d for altering the Bounds of the Said Land, In which Vote it is Asserted, That the people of Lancaster, did not fairly and Truely, represent their Bounds and the Lines of their old Township, They are ready to prove by the affidavits, of Two of the Said Committee (which consisted but of three persons) That their Lines were truely and faithfully run, and therefore praying that this Court would Confirm to them, The Grant of the S^d Land as made in the Year 1713.

[In answer to this petition the following action was taken]

Whereas this Great and General Court, did at a Session held at Boston, the 27th of may 1713, pursuant to a Report of Cp^t Jonathan Prescott, Messrs Samuel Jones, & John Farnsworth a Committee appointed by them, Order, that a Certain Tract of Land, Should be added and Confirmed, To The Town of Lancaster, as part of That Township, not prejudicing, any former Grants

Legislative Records of the Council, xi., 159.

Legislative Records of the Council, vii., 333. House Journal, p. 22. Province Laws, vii., 353, chap. 47. *Ante*, p. 24, chap. 47; p. 45, chap. 98.

[1] *Quære*, if this should not be Leicester? See Province Laws, ix., 681, chap. 81.

The aforesaid, Tract of Land beginning at the Northwest Corner of the proper bounds of Lancaster plantation (Then so Call[d]) and from thence to run a Line, upon a Northwest point, or near thereabouts, along the Southwest Sides, of Mashapang, & Uncachewalunk ponds Extending Said Line three miles, and from thence a Line running near upon a Southwest point, Crossing a River Called the North River, and So ranging along over Hills Called Monosuck Hills, Said Lines being about Six miles in Length till it meets, with the middle Branch, of Lancaster River at or near a Little Hill, where is a Tree mark[d] by the Indians for a corner of the S[d] Land, being near Five miles wide at the Southward and bounded partly by the River & partly by Cp[t] Davenports Farm to the Southwest Corner of Lancaster old Bounds, and whereas two of that Committee, have been lately upon the aforesaid Tract of Land, & viewed the same, and do declare upon oath, that they are no ways apprehensive, that they were decieved, or Imposed upon by Lancaster men, or misled in that matter, and they marked a Tree, upon the Westerly Side of S[d] pond, upon the Brink thereof, as a mark to the S[d] Lands, and that it was their True Intention that The Land at that End, should be three miles in Weadth, whither it fell short, or come beyond Said mark, It no ways appearing that that report, was Grounded on Misrepresentation, of the Inhabitants, or proprietors of Lancaster, but on the contrary, that they fairly, shewed, the Committee, The Bounds and Lines, of their old Township;

Resolved, That that Tract of Land, which was confirmed, to the Town of Lancaster, by this Court Anno 1713 and described, in the return, Signed by the aforesaid Jonath[n] Prescott, Samuel Jones & John Farnsworth, be and Remain to the Proprietors of Lancaster, and their Assigns forever, by Virtue of the aforesaid Grant, any former Act or Resolve, of this Court to the Contrary notwithstanding. [*Passed June 17.*

CHAPTER 19.

VOTE ALLOWING THE COUNTY TREASURER OF BARNSTABLE HIS ACCO[T].

Legislative Records of the Council, xi., 160.

House Journal, p. 27.

AN ACCOMPT of Ebenezer Lewis[1] Treasurer of the County of Barnstable, from August 1720, to April 1721 having been laid before the Court, of General Sessions of the peace, for the S[d] County, & by them Accepted, & allowed,

Read and

Resolved, That the Said accompt be allowed. [*Passed June 19.*

CHAPTER 20.

RESOLVE FOR A TAX OF £6,000 ONLY.

Legislative Records of the Council, xi., 161.

House Journal, p. 21. Province Laws, ii., 219; ix., 669, chap. 55; 674, chap. 58.

Resolved, That the Sum of Six Thousand pounds only shall be Levied, upon Polls & Estates this Year, which with the Sum of Ten Thousand Two hundred, & Fifty pounds, by the duties of Impost & Tunnage of Shipping, & Excise together, with the Income of the Bills, let out and the Light house, will make the Sum of Sixteen thousand two hundred, & Fifty pounds, pursuant to the funds, and Grants, made in the Years 1718 & 1719. [*Passed June 20.*

[1] The House Journal reads "Mr. *John Otis.*"

CHAPTER 21.

RESOLVE ALLOWING £57. 10 TO JOSIAH WILLARD.

An Accompt presented by Josiah Willard Secry of this Province, of Copying the Records of the Generall Assembly, by Order of the Court, Viz^t from the Beginning of the Session held April 18th 1689, to the End of the Session held Novr 3^d 1694, and from the beginning of the Session held Febr^y 1st 1709, to June 15th 1713, Amo^t to the Sum of £57. 10/.

Legislative Records of the Council, xi., 162.

House Journal, p. 33. *Ante*, p. 39, chap. 81.

[Read and]

Resolv^d that the Sum of Fifty Seven pounds & ten Shillings, be allowed & paid out of the publick Treasury, unto Mr Josiah Willard Secretary, for the Service above. [*Passed June 21.*

CHAPTER 22.

VOTE APPOINTING A FAST.

Legislative Records of the Council, xi., 162. Mass. Archives, xi., 402, 403.

Voted, That Thursday the Thirteenth of July next be appointed as a day of Publick Fasting and prayer to Allmighty God on Occasion of the Judgement that has in his providence brought on this Land by Sending the Small pox among us And that his Excellency be desired to Issue out a Proclamation Accordingly. [*Passed* June 21.*

Mass. Archives, xi., 402, 403. Legislative Records of the Council, xi., 160. Executive Records of the Council, vii., 282. House Journal, p. 32. Sewall's Diary, iii., 290.

CHAPTER 23.

ORDER ON THE PETITION OF SAMUEL COMESTOCK FOR A SURVEY OF MENDON.

A petition of John Foster in behalf of Samuel, Comestock, and others, Shewing that the Generall Assembly did at their Session held Novr 4th 1719, Vote that it was reasonable, that the Nine hundred Acres of Land mentioned, in their petition, or so much, thereof, as was in the Year 1707, laid out within this Province, to Satisfy in part a Grant of one Thousand acres made to the petitioners by the Town of Providence be confirmed to them; Provided the Nine hundred acres, were laid out in an un[ap]propriated Land, But if it appear to be within, the Township of Mendon, that then the petitioners have liberty to lay out that Quantity of Land, in Some Free place, Unless the Town of Mendon will confirm to the petitioners, the Said Lands, That then Mendon have an Equivalent, therefor, That the Town of Mendon refuses to comply with the Said Vote, or any part thereof, and therefore praying th^t this Court, would appoint a Surveyor, to measure the Said Town of Mendon, according to their Originall Grant, That the petitioners may know Whither, the Land laid out to them, Lye within the said Township of mendon or not,

Legislative Records of the Council, xi., 162.

House Journal, p. 33. Province Laws, ix., 693, chap. 106.

Read, &

Ordered, That the prayer of this petition be Granted, provided, the petitioner, or those, whom he petitioned for be at the Charge, of paying the Surveyour, & Chain Men. [*Passed June 21.*

CHAPTER 24.

RESOLVE DISCHARGING MR TREASURER ALLEN ON HIS GENERAL ACCOMPT.

Legislative Records of the Council, xi., 164.

House Journal, p. 38.

THE ACCOMPTS of Jeremiah Allen Esqr Treasurer and Reciever Generall, of the Province of the Massachusets Bay in New England, beginning the thirty first of May 1720, and continued, to the Thirty first of May 1721, Amount^s to the Sum of Forty Five thousand Five hundred pounds, Ten Shillings and one penny, having been presented and laid before the house of Representatives, & Inspected by Said house, by which it appears there was Standing out, the thirty first of May 1720 Two Thousand, Seven hundred, Seventy Seven pounds Fourteen Shillings & Nine pence, of the Taxes, Sixteen Thousand Four hundred, Ninety nine pounds, Nineteen Shillings & nine pence, Neet Province bills, and, Three Thousand one hundred, and Sixty pounds thirteen Shillings & Ten pence with the Five p^r cent advance thereon in the Treasury and further to be accompted for.

In the House of Representatives,

Resolved

That Mr Treasurer Allen be and hereby is discharged of the Sum of Twenty three Thousand & Sixty two pounds, one Shilling & nine pence, As is Contained in the Several Articles of Reciepts & payments amounting to the above Said Sum, although the House have Voted the drawing upon the Treasury, for payment of Several, of those Articles, a Grievance, as not proper, to be paid out of the publick Treasury, In Council read, & Concurred as to the discharge of the Treasurer. [*Passed June 22.*

CHAPTER 25.

ORDER OF THE COURT FOR SECURING THE LOGS CUT IN THE PROV: OF MAIN.

Legislative Records of the Council, xi., 165.

Legislative Records of the Council, xi., 116, 117, 129, 130 *bis*, 132, 133, 134. House Journal, pp. 6, 7, 8, 23, 24, 25, 27, 30 *ter* (March, 1720); p. 39.

WHEREAS Information has been Given, that Some persons have presumed to cut a Considerable number of Trees into Logs to a Great Value in the late Province of Main (now part of this Province) above the Town of Berwick in the County of York

Ordered, That the Representatives of the Towns of York & Kittery, Wells, & Berwick, or any three of them be a committee to Secure & if Necessary to dispose of the Said Logs, to the best advantage, and Lay an Acco^t of their proceedings before this Court at their Next Session, for their further order and also to prosecute in the Law, all Such as have Illegally cut down any of the Said trees. [*Passed June 23.*

CHAPTER 26.

ORDER APPOINTING A COMMITTEE OF BOTH HOUSES FOR BURNING DEFACED BILLS.

Legislative Records of the Council, xi., 167.

In the House of Representatives,

Ordered, That the Honble the Speaker, Elisha Cook Esqr Mr Wm Clark & Mr Ebenezer Austin, with Such others as the Honble Board,

shall nominate, be a Committee to take an acco[t] of all the defaced Bills, & Bills unfit for use, Lying in the Treasury of the Number of Each sort of the Bills and of the whole Sum of them to Give the Treasurer a Reciept for them, and to burn the Said Bills to Ashes, and to make report of their doings to this Court at their Next Session. In Council read, and Concurred

House Journal, p. 33.

And, That, Penn Townsend, Edward Bromfield and Addington Davenport Esq[rs], be Joined in the affair. [*Passed June 23.*

CHAPTER 27.

ORDER RESPECTING THE LANDS NEAR LANCASTER.

Whereas by the Resolve of this Court, relating to some Lands, formerly belonging to the Town of Lancaster, but Since taken into the New Township, at Turkey Hills, Lying on the West Side of Groton, and now ordered to belong, to the Proprietors of Lancaster many persons, that drew their Lots, in the New Town, and paid their money therefor, will be Great Sufferers, for that they will fall within the tract of Land, now Settled upon Lancaster, unless this Court make some Reparation.

Legislative Records of the Council, xi., 167.

House Journal, p. 40. Province Laws, ix., 696, chap. 113. *Ante*, p. 87, chap. 18.

Ordered, That the former Committee that laid out the New Town be Impowered, to lay out an Equivalent to those persons whose lot fell, within that tract of Land now Vested in the Proprietors of Lancaster, and, Report, their doing to this Court at their Next Session. [*Passed June 23.*

CHAPTER 28.

RESOLVE ALLOWING £282. 18 TO EBENEZER CLOUGH.

Legislative Records of the Council, xi., 168.

Resolved

That the Sum of Two hundred & Eighty Two pounds Eighteen Shillings, be allowed and, paid out of the publick Treasury, to M Tho[s] Cushing & M[r] Ebenez[r] Clough, for repairing the Hospitall.[1] [*Passed June 23.*

House Journal, p. 37. *Ante*, p. 31, chap. 65.

CHAPTER 29.

ORDER RESPECTING DORCHESTER PROPRIETORS.

In Council

Legislative Records of the Council, xi., 163, 168.

Ordered, That John Cushing John Burrill, & Jon[a] Remington Esq[rs], with Such others as the Honb[le] House of Representatives shall appoint be a Committee, in the recess of this Court, to repair to Dorchester, in some Convenient time, in Order to Enquire into, the Grounds & Reasons, of the present Difference, & Contention of the Proprietors of Dorchester Touching the Divisions of the Propriety Lands, and to hear the Several Claims, Rights & pretensions, of the proprietors and to report the State of their affairs to this Court, at their next Session, That So Some Suitable Remedy may be provided by order of this Court, for restoring Peace

Legislative Records of the Council, xi., 153. House Journal, p. 38.

[1] On Spectacle Island.

among them, & preventing, any contentions or Law Suits for the future if it may be, and, for the Ease of the Committee, and Expediting their Inquiry & report, It is

Ordered, That the Two Contend^g parties do chuse from out of their Number, three or Four: persons, respectively to attend the committee, with their Complaints Petitions rights or Titles &c^a and all Records, papers and Evidences, relating thereunto, Unless in the meantime, the parties should agree, and all Actions or Suits between the Said proprietors, shall Cease or be Continued, untill the Report of the Said Committee, and Order of this Court, thereupon, The Charges of The Said Committee, to be born, as this Court shall direct.

In the House of Representatives Read & Concurred Provided, Neither of the contending parties shall in the mean time, carry off any of the Oar, from the Beds Lying in the New Grants, or make any Alienations there or wast of Timber thereon, and, That Mr Stone Mr Adams, & Mr Torrey be added to the Committee, In Council read & Concurred. [*Passed June 23.*

CHAPTER 30.

VOTE ALLOWING THE COUNTY TREASURE[R] OF PLIMOUTH HIS ACCOT.

Legislative Records of the Council, xi., 170.

House Journal, p. 13.

AN ACCOMPT of John Dyer Treasuer of the County of Plimouth, from March 29th 1719, 20, to March 9th 1720/1, having been presented to the Court of Generall Sessions of the peace for the Said County & by them accepted & approved of.

Read and

Ordered, That this Accompt be allowed. [*Passed June 24.*

CHAPTER 31.

VOTE ALLOWING THE COUNTY TREASURER OF HAMPSHIRE HIS ACCO^T.

Legislative Records of the Council, xi., 170.

House Journal, p. 13.

AN ACCOMPT of Joseph Hawley Treasurer of the County of Hampshire for the Year 1720 having been presented to the Court of General Sessions of the peace for the Said County, & by them accepted, & approved of. Read, and

Ordered, that this Accompt be allowed. [*Passed June 24.*

CHAPTER 32.

VOTE ALLOWING THE CO: TREASURER OF BRISTOLL HIS ACCOT.

Legislative Records of the Council, xi., 170.

House Journal, p. 13.

AN ACCOMPT of Nathl Payne Esqr Treasurer of the County of Bristol from April 1720 to April 1721 having been presented to the Court of General Sessions of the Peace for the Said County and, by them Accepted, & approved of.

Read, and

Ordered, That this accompt be allowed. [*Passed June 24.*

CHAPTER 33.

VOTE ESTABLISHING SCOUTING SOULDIERS PAY.

Legislative Records of the Council, xi., 170.

On the Vote for Scouting Souldiers.

Resolved,

House Journal, p. 41. *Ante*, p. 84, chap. 9.

That the pay to be allowed the Souldiers shall be ten Shillings per week. [*Passed June 24.*

CHAPTER 34.

RESOLVE ALLOWING £5 TO Mrs CHRISTIAN NEWTON.

Resolved, That the Sum of Five pounds be allowed, and paid out of the publick Treasury, to Madam Christian Newton in full of her husband, Thomas Newtons, Service, as attorney General the last Year. [*Passed June 26.*

Legislative Records of the Council, xi., 170.

House Journal, p. 43.

CHAPTER 35.

RESOLVE ALLOWING £3. 10 TO JOHN SAUNDERS.

An Account of John Saunders for going Express by order of the House in March last, amo: to the Sum of £3. 10/.

Legislative Records of the Council, xi., 171.

[Read and]

Resolved, That the Sum of Three pounds & Ten shillings be allowed, and paid out of the publick Treasury to Mr John Saunders, to discharge his Accompt. [*Passed June 27.*

House Journal, p. 20 (March); p. 45.

CHAPTER 36.

RESOLVE ALLOWING £6. 10. 6 TO JOSEPH CHADBURNE.

An Accompt of Joseph Chadburn for bringing a Letter to the Speaker of the House of Representatives, and attendance & Charges in Boston in March last, amounting to the Sum of £6. 10. 6.

Legislative Records of the Council, xi., 171.

[Read and]

House Journal, p. 45.

Resolved, That the Sum of Six pounds Ten shillings & Six pence, be allowed and paid out of the publick Treasury, to Mr Joseph Chadburne, to discharge his accompt. [*Passed June 27.*

CHAPTER 37.

VOTE RESPECTING THE EXCHANGE OF CONNECTICUT BILLS Yt ARE TORN AND DEFACED.

Whereas there are Great Quantities, of the Bills of publick Credit, belonging to the Government of Connecticut in this Province, passing from Man to Man, which Bills are much defaced Torn and unservice-

Legislative Records of the Council, xi., 171.

House Journal, p. 45. Province Laws, ix., 650, chap. 3. *Ante*, p. 67, chap. 151.

able, and no person appointed by that Government to Exchange them for other Bills, by reason whereof Great Damage & Loss, may accrue to the possessors of Such Bills,

Resolved, That a pressing Letter be written to that Government, by the Secretary, in the Name of this Court, That Some meet, person be appointed within this Province, and that he be Impowered, & Enabled, to change all Such Torn Unserviceable, & defaced bills, and that the Government be advised hereof, by or before the Next Meeting of this Court and that Three hundred pounds of the Five hundred, Ordere^d^ to the Honb^le^ Willm Pitkin Esqr of the Bills of Publick Credit of this Province for Exchanging of Torn & defaced Bills, be Still remaining in his hands for the further Exchanging of our Said Bills, untill the Next Session of this Court, and That Mr Joseph Stebbins Representative of Springfield, Recieve of Mr Pitkin the remaining Sum of Two hundred, pounds, Giving his reciept therefor, & returning the same into the Province Treasury, and Further

Resolved that Mr Secretary Willard, be directed to renew his Applications to the Governments of Connecticut, & Rhode-Island, for repaying the Sums advanced, for them by this Government according to the Resolve of this Court in March last. [*Passed June 27.*

CHAPTER 38.

RESOLVE ALLOWING £3. 16. 6 TO JOS: MARION.

Legislative Records of the Council, xi., 173.

House Journal, p. 46.

AN ACCOMPT presented by Joseph Marion of writing done for the Court the last Session, & this present Session, amo: to the Sum of £3. 16. 6.

[Read and]

Resolved, that the Sum of Three pounds Sixteen Shillings, & Six pence, be allowed & paid, out of the publick Treasury to Mr Joseph Marion, to discharge his Accompt. [*Passed June 27.*

CHAPTER 39.

VOTE ABOUT THE COMMISSIONERS OF EXCISE: FORM OF THE BOND OF THE COMMISSIONERS OF EXCISE.

Legislative Records of the Council, xi., 173.

House Journal, p. 44. Province Laws, ii., 203, chap. 1; 218.

WHEREAS the Justices of the General Sessions of the peace are required to take bond, with Sufficient Security of the Commissioners of the Excise for the due payment of all the Sums of Money by them Collected to the Treasurer of the Province, Yet many of the Bonds, heretofore given have not been put into the hands & Custody of the Treasurer, which hath been a Loss to the Government.

Resolved,

That the Several Clerks of the Courts of General Sessions of the peace, within this Province, shall take effectual care to transmit, all Such bonds, to the Treasurer of the Province, within three months, at furthest from the date of Such Bonds, on penalty of Twenty pounds, to be paid by Each Clerk Failing of his duty therein, to be recovered by Bill Plaint or, Information, in any of his Majesties Courts of Record, One half of the Forfeiture, to be to the Use of the Government, the other half to the Informer, and, that the Act for Granting to his

Majesty, an Excise upon Liquors, &c^a be read, at the opening of the Several Courts of General Sessions of the peace, within this Province, And further

Resolved, That Joseph Hammond Esqr the Clerk of the Court of General Sessions of the peace for the County of York Send down to Mr Secretary Willard and acquaint him, whether Mr Joseph Curtiss late Commissioner of Excise for the County of York, Gave bond, as the Law directs, and if Bond was Given, that he transmitt the same to the Treasurer and if no bond was given, to render a reason why it was omitted, Further,

Resolved, That the Form of the Bond, to be given by the Commissioners of each County be as follows.

Know all Men by these presents, that We A B of in the County of & Commissioner of Excise for the S^d County as principall & C D & E F of as Sureties acknowledge, our selves bound, & obliged in the full and Just Sum of to Jeremiah Allen Esqr Treasurer of this Province of the Massachusets Bay, & to his Successours in the Said office, for the time being, for & on behalf of the Said Province; which payment well & truely to be made to the Said Province Treasurer for the time, Wee bind ourselves our Heirs Executors and administrators, Jointly & Severally, Each and Every of them in the whole or for the Whole, firmly by these presents;

Sealed with our Seals, dated this 17 and in the Year of his Majesties riegn, The Condition of the above written obligation is Such, that whereas, The above Named, A B is appointed Commissioner of Excise for Said County and is by the law of this Province, Entituled an Act for Granting unto his Majesty an Excise upon all Wines Liquors, and other Strong drink, Sold by Retail, made Anno 1721, directed to Accompt with, and pay into the Province Treasury, all Such Sums of Money recieved of the Inholders & retailers of Such Strong Drink, as per the Act doth fully appear, Now if the Said A B, shall and do well and Truely in all Respects & regards fullfill and perform his duty as he is required, by Said act, Then the above Written Obligation to be Void & of none effect, Else to abide & remain in full force Strength and, Virtue. [*Passed June 27.*

CHAPTER 40.

VOTE FOR GRANTING LICENCES IN BOSTON.

Voted, That the Justices of the peace for the County of Suffolk be allowed, to meet at Boston, for Grant^g Licences, to the Inholders Retailers &c^a of the Town of Boston, at their next General Sessions, Notwithstanding, An Act of this Court for removing the Court of General Sessions of the peace to the Town of Roxbury. [*Passed June 29.*

Legislative Records of the Council, xi., 177.

House Journal, p. 49. Province Laws, ii., 211, chap. 3.

CHAPTER 41.

VOTE FOR RETURNING A LIST OF INHOLDERS RETAILERS &c^A TO THE COMMIS^RS OF EXCISE.

Resolved

That, the Clerks of the General Sessions of the peace in the Several Countys of this Province during the continuance of the Act for Grant-

Legislative Records of the Council, xi., 180.

House Journal, p. 55. Province Laws, ii., 219. *Ante*, p. 94, chap. 39.

ing to His Majesty an Excise, upon Wines Liquors &c[a] Sold by Retail, be hereby obliged, yearly to deliver, to the Commiss[r] of Excise in their respective Countys, a true list of All the Inholders Taverners, & Retailers, that Shall Obtain Licence, to Sell or Retail Strong Drink, in the Said County, within Fourteen days after Such Licence obtained. [*Passed July 4.*

CHAPTER 42.

RESOLVE FOR EMITTING £5,000 ORDER FOR PAY[G] TAXES IN GOODS.

Legislative Records of the Council, xi., 182.

Legislative Records of the Council, xi., 172, 174, 177 *bis*, 178 *bis*, 179-182. Province Laws, ii., 221. House Journal, p. 59.

Resolved,

That the Treasurer be and hereby is directed, to Issue forth and Emitt, the Sum of Five Thousand pounds, of the Bills of publick Credit, that are or Shall be recieved into the Treasury for payment of the publick Debts of the Province, already Contracted, & for payment of Grants Salaries, & allowances, made or to be made by this Court, & for payment of all unforeseen Charges, necessarily arising, in the recess of this Court, for the defence and Support of the Government and the protection and, Preservation of the Inhabitants of this Province, whither occasioned by Pirates or any other Invasion by Sea or Land, or by any other way or means, th[t] demand prompt payment, and for payment of Expresses dispatched in the Service of this Government, and for Supplying and Supporting the Charge of the Castle Forts & Garrisons & Wages, arising for their Service (Provided the Muster Rolls or any accompt of Charge or expence on the Castle Forts or Garrisons, shall not be paid untill Such Muster Roll or accompt of Charge or Expence hath been Examined, and allowed of by this Court) & For no other Ends and uses whatsoever, according to Such Draughts, as Shall from time to time, be made upon him, by order of the Govenour or Commander in chief for the time being, by and with the advice and consent of the Council, and the Said Bills, shall pass out of the Treasury, at the Value Expressed, in them Equivalent to Money And shall be so taken, and accepted, in all publick payments.

And, That the dutys of Impost, & Excise, shall be a fund, & Security, for the Repayment, & drawing in of the Said Bills into the Treasury again, So far as that will reach ; and as a further Fund and Security for the, same. It is further

Resolved,

That there be and hereby is Granted, unto his Most Excellent Majesty, to the Ends & Uses as aforesaid, a Tax of Five Thousand pounds upon polls, & Estates, both reall & personall within this Province, according to Such Rules, & In Such Proportion, upon the Several Towns and Districts, within the Same, as Shall be agreed on, & ordered by the Great & General Court or Assembly of this Province, at their Session in May Anno 1731, and paid into the Treasury, on or before the last day of December next after, and, Whereas Through the Scarcity of Bills of Credit, It Grows difficult for persons to Convert the produce of their Lands, and other effects into Bills & pay their rates in them; It is further

Ordered, That the Inhabitants of this Province, shall have Liberty, (If they see fit) to pay the Several Sums, that shall be on them respectively assessed in the Several Species here after mentioned at Such moderate Rates & Prices as the Generall Assembly shall Set them, Viz[t] in Good Barrell Beef or Pork, Wheat, Barley, Rye, Indian Corn, Oats, Flax, Hemp, Bees Wax, Butter in Firkins, Cheese, Hides, Tann[d] Leather, Dry

Fish, Mackrell, in Barrells, Oyl Whale Bone, Bay Berry Wax, or Tallow; which Species, shall be recieved by the Treasurer, of the Several Constables or Collectors, and be by him disposed, of for the best advantage in Calling in of the Said Bills into the Treasury, and if any Loss by the Sale of the aforesaid Species, or any other unforeseen Accident should arise The Said Deficiencys, shall be made Good by the Tax of the Year Next Following, So as fully and Effectually to Call in the whole of the Said Sum of Five Thousand pounds, Emitted as afores^d^. [*Passed July 6.*

CHAPTER 43.

ORDER ALLOWING THE COUNTY TREAS^R^ OF SUFFOLK HIS ACCO^T^.

An Accompt of Samuel Checkley Esqr Treasurer of the County of Suffolk, from March 7th 1720 to May 9th 1721, having been laid before the Court of General Sessions of the peace for the Said County, & by them approved and allowed of, Excepting a Draught of the Superiour Court in November last, Amounting to the Sum of Six pounds Eight Shillings & Nine pence.

Legislative Records of the Council, xi., 184.

House Journal, p. 61.

Read and

Ordered That the Said Accompt, be allowed, all Except the Six pounds, Eight Shillings & Nine pence paid by Order of the Superiour Court. [*Passed July 7.*

CHAPTER 44.

ORDER APPOINTING A COMMITTEE OF BOTH HOUSES RESPECTING THE HOSTAGES.

In the House of Representatives

Ordered,

That Mr Speaker Mr Cook Mr Clark and Mr Goffe & Mr Austin be a Committee of this house to Join with Such, as the Honb^le^ Board shall appoint, In the recess, of the Court, to Consider and detirmine, what Shall be done with the Hostages. In Council read, & Concurred, and

Legislative Records of the Council, xi., 185.

Legislative Records of the Council, xi., 168, 177, 184.

House Journal, p. 63.

Ordered

That Samuel Sewall, Penn Townsend, Addington Davenport, & Thomas Hutchinson Esq^rs^, be Joined in the affair above. [*Passed July 8.*

CHAPTER 45.

RESOLVE ALLOWING £317. 13. 7 ON THE MUSTER ROLL OF CASTLE WILLIAM.

A Muster Roll of the Garrison at his Majesties Castle William, Containing an Accompt of Wages due to the Honb^le^ Wm Dummer Esqr, Captain & the Souldiers under his Command for their Service from Jany 13th 1720 to June 29th 1721, Amo^t^ to £329. 13. 7. The Committee having Examined the Musterroll of Castle William, & find it rightly Cast, & Vouched from the Former Roll, but Observe that the Captain

Legislative Records of the Council, xi., 192.

House Journal, p. 67.

Infra, chap. 46.

bears Three Servants (Negroes) that do no Duty, Viz^{t} Tom, Quaco, John, Cooper, & Peter, Slaughter, The Former his Waiting man the Other Two his Servants Employed on his Farm at Newbury, & never at the Castle on Duty, whose wages being Twelve pounds. The Committee are humbly of opinion ought not to be paid by the Province, but have taken the Same out of the Amount in the Muster, roll, being £329. 13. 7 so that there remains due for the discharge of the Same the sum of £317. 13. 7 and that two good effective men be forthwith Listed in the room of Cooper & Slaughter. By Order of the Committee,

W^{M} CLARK.

Read and accepted, and

Resolved, that the Sum of Three Hundred & Seventeen pounds, Thirteen Shillings & Seven pence be allowed and paid out of ye publick Treasury to discharge the within Musterroll. [*Passed July 12.*

CHAPTER 46.

RESOLVE ON COMMITTEES REPORT ON CAP^{T} ZECHARIAH TUTHILLS ACCOMPT OF VICTUALLING THE GARRISON AT CASTLE WILLIAM.

Legislative Records of the Council, xi., 192.

House Journal, pp. 67, 68. *Supra*, chap. 45.

AN ACCOMPT presented, by Mr Zechariah Tuthill of Victualling the Garrison at his Majesties Castle William, From Jany 13th 1720, to June 29th 1721, both days Included.

The Committee having Exam^{d} the Accompts, of Victuall^{g} the officers, Soldiers &c^{a} of his Majesties Castle William, & find it right Cast, & Vouched from the Former Accompt, but would observe that there is Charged in Said accompt, Subsistence for three men Negroes & Servants to his Honour the Lt Govr, which have not done any Duty at the Castle, Viz^{t} Thomas, Quaco, John Cooper, & Peter Slaughter, the Former his Waiting man, the other Two his Servants Employed on his Farm at Newbury & never at the Castle on Duty, whose Victualling, being Thirteen pounds Four Shillings, The Committee are Humbly of opinion, ought not to be paid by the Province, So have taken the Same out of the Amount of the Victualling, being £274. 0. 7 So that there Remains Due for the discharge of the Said Victualling Accompt, Two hundred Sixty one pounds Sixteen Shill^{gs} & Seven pence, As by the Accompt on the Other Side.

by Order of the Committee, W^{M} CLARK

Read and Accepted and.

Resolved, that the Sum of Two Hundred Sixty one pounds Sixteen Shillings & Seven pence, be allowed & paid out of the publick Treasury to Capt Zechariah Tuthill, to discharge the Accompt of Victualling Castle William. [*Passed July 12.*

CHAPTER 47.

RESOLVE ALLOWING £19. 4. 6 TO DR GEORGE PEMBERTON.

Legislative Records of the Council, xi., 193.

House Journal, p. 68.

Resolved, that the Sum of Nineteen pounds, Four Shillings & Six pence, be allowed & paid out of the publick Treasury to Dr George Pemberton, to discharge his Accompt, of Medicines &c^{a} for the Castle. [*Passed July 12.*

CHAPTER 48.

RESOLVE ON REPORT OF THE COMMITTEE ON THE MUSTER ROLL OF Y^E GARRISON AT FORT GEORGE.

A Muster Roll of the Garrison at his Majesties Fort George at Brunswick Under the Command of Capt John Gyles, Containing an Accompt of Wages Due to them for their Service from July 22^d 1720, to July 6th 1721, amo^t to £242. 10/.

Legislative Records of the Council, xi., 197.

House Journal, pp. 70, 71. *Infra*, chap. 49.

The Committee have Examined the within Muster Roll, and find it right Cast & are of opinion that the Sum of £223. 15/ be allow^d and paid Exclusive of the Sum of £18. 15/ which Capt Gyles Charges as Interpreter and for Negotiating the affairs with the Indians which the Committee are of the Opinion ought Not to be allowed, or paid Till Capt Gyles produces a Resolve of the General Court (If Any Such there be) for pay for that Service.

July 19th 1721 By Order of the Committee,

W^M Clark

[Read and]

Resolved; That the Sum of Two hundred & Twenty three pounds Fifteen Shillings, be allowed & paid out of the Publick Treasury to Capt John Gyles, to discharge the within Accompt. [*Passed July 20.*

CHAPTER 49.

RESOLVE ON COMMITTEES REPORT ON CAP^T JOHN GYLES ACCO^T OF DISBURSMENTS.

An Accompt presented by Capt John Gyles of Disbursments, on the Garrison at His Majestys Fort George at Brunswick, Amo^t to the Sum of £42. 11. 7. The Committee having Examined the Within Accompt, are of the Opinion, that the Sum of Twelve pounds, & Eleven Shillings be allowed and paid to Capt John Gyles, in full to Discharge the Two first Articles, of the Within Accompt, and the Article of Twenty Three pounds Four Shillings & Seven pence, Wee Leave Open, that Capt Gyles may Bring a resolve of the General Court (If any Such there be) to Avouch the Same at the Next Session of the Court. ; By Order of the Committee,

Legislative Records of the Council, xi., 197.

House Journal, p. 71. *Supra*, chap. 48.

July 19th 1721. W^M Clark.

[Read and]

Resolved; That the Sum of Twelve pounds Eleven Shillings be allowed, & paid out of the publick Treasury, to Capt John Gyles, to Discharge the Within Accompt. [*Passed July 20.*

CHAPTER 50.

RESOLVE ALLOWING £32. 12. 2 TO DAN^LL POWNING.

An Accompt presented by Danl Powning Keeper of the Powder House, Ending June 1st 1721 ; Ballance due to the Said Powning being £32. 12. 2.

Legislative Records of the Council, xi. 197.

House Journal, p. 69.

Resolved that the Sum of Thirty Two pounds Twelve Shillings & 2[d] be allowed, & paid out of the publick Treasury to M[r] Dan[l] Powning, to discharge the Said Accompt. [*Passed July 20.*

CHAPTER 51.

VOTE ACCEPTING THE COMMITEEES REPORT ON CAP[T] GYLES INDENT OF STORES.

Legislative Records of the Council, xi., 198.

House Journal, p. 71.

AN INDENT of Stores Necessary at Fort George, presented by Cap[t] Gyles: The Committee are of opinion, That the Province Treasurer, be directed to Supply Cap[t] John Gyles, with the Within particulars, for the Use of his Majesties Fort George at Brunswick.

July 19th, 1721. By Order of the Committee,

W[M] CLARK

Read and Accepted. [*Passed July 20.*

RESOLVES, ORDERS, VOTES, ETC.

Passed 1721–22.

LEGISLATIVE LIST[1]

FOR

1721–22.

HIS EXCELLENCY SAMUEL SHUTE,

CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, ESQ.,

SECRETARY OF THE PROVINCE.

REPRESENTATIVES OR DEPUTIES.

August 23, 1721 to May 28, 1722.

MR. JOHN CLARK, SPEAKER.

COUNTY OF SUFFOLK.

Boston,	John Clark, Esq.,
	Elisha Cooke, Esq.,
	William Hutchinson, Esq.,
	Mr. William Clark.
Roxbury,	Capt. William Heath.
Dorchester,	Col. Robert Spurr.
Milton,	Mr. Ephraim Tucker.
Braintree,	Capt. John Mills.
Weymouth,	Mr. John Torrey.
Hingham,	Mr. Thomas Loring.
Dedham,	Mr. Joseph Ellis.
Mendon,	Mr Daniel Taft.
Wrentham,	Mr. Robert Ware.
Woodstock,	Mr. James Horsmer.
Brooklyn,	Mr. Edward White.

COUNTY OF ESSEX.

Salem,	Daniel Epes, Esq.,
	Capt. Peter Osgood.
Ipswich,	John Wainwright, Esq.,
	Mr. Nathaniel Knolton.
Newbury,	Mr. William Moodey.
Lynn,	Mr. Richard Johnson

COUNTY OF ESSEX — *Concluded.*

Mblehead,	Mr. William Stacey.
Beverly,	Mr. Robert Briscoe.
Wenham,	Mr. John Gott.
Topsfield,	Mr. Tobijah Perkins.
Andover,	Benjamin Stevens, Esq.
Bradford,	Mr. Robert Hasletine.
Haverhill,	Mr. John Saunders.
Boxford,	Mr. Joseph Hale.
Rowley,	Mr. Ezekiel Northen.
Salisbury,	Mr. Isaac Mowell.
Amesbury,	Mr. John Foot.
Glocester,	Mr. Samuel Stevens.

COUNTY OF MIDDLESEX.

Cambridge,	Edmund Goffe, Esq.,
	Mr. Ebenezer Austin.
Charlestown,	Mr. John Rand.
Watertown,	Mr. Samuel Sterns.
Newton,	Mr. Ebenezer Stone.
Sudbury,	Mr. Phineas Rice.
Marlborô,	Capt. William Ward.
Sherburn,	Mr. John Death.
Lancaster,	Mr. Jabez Fairbanks.

[1] See Legislative Records of the Council, xi., 200, 201. No Councillors were elected for this year.

COUNTY OF MIDDLESEX — *Concluded.*

Framingham, . Col. Joseph Buckminster.
Groton, . . . Mr. John Shipley.
Concord,. . . Mr. William Wilson.
Chelmsford, . Mr. Stephen Peirce.
Billerica, . . Mr. George Brown.
Woburn, . . . Mr. Daniel Peirce.
Reading, . . Mr. William Bryant.
Malden, . . . Mr. Jonathan Sergeant.
Lexington, . . Francis Bowman, Esq.
Weston, . . . Francis Fulham, Esq.
Dracutt, . . . Capt. Joseph Varnam.
Medford, . . Thomas Tufts, Esq.
Stow, ... Mr. John Whitman.
Leicester, . . John Menzies, Esq.

COUNTY OF HAMPSHIRE.

Springfield, . Mr. Joseph Stebbins.
Northampton, . Mr. Ebenezer Pomroy.
Hadley, . . . Mr. Luke Smith.
Westfield, . . Mr. Samuel Ashley.
Brookfield, . . Mr. Joseph Jennings.

COUNTY OF PLIMOUTH.

Plimouth, . . Josiah Cotton, Esq.,
Mr. John Foster.
Scituate,. . . Mr. James Cushing.
Marshfield, . . Mr. Jonathan Eams.
Duxbury, . . Capt. John Alden.
Bridgewater, . Mr. Benjamin Snow.
Rochester, . . Mr. Samuel Prince.
Middleborô,. . Mr. Ichabod Southwark.

COUNTY OF PLIMOUTH — *Concluded.*

Plimpton, . . Mr. Benoni Lucas.
Pembrook, . . Mr. Thomas Barker.

COUNTY OF BARNSTABLE.

Barnstable,. . Shubael Goreham, Esq.
Sandwich, . . Mr. Stephen Skiff.
Eastham, . . Mr. Isaac Pepper.
Harwick, . . Mr. John Mayo.

COUNTY OF BRISTOLL.

Bristoll, . . . Simon Davis, Esq.
Taunton, . . Mr. James Leonard.
Swanzey, . . Mr. Joseph Winslow.
Rehoboth, . . Mr. Jothniel Peck.
Little Compton, Mr. Joseph Southwark
Dighton, . . . Mr. David Walker.
Tiverton, . . Mr. Gershom Woodall.
Attleborô, . . Mr. David Freeman.
Norton, . . . Capt. Samuel Brintnall.
Dartmouth,. . Mr. Phillip Tabor.
Freetown, . . Mr. Thomas Gage.

DUKES COUNTY.

Edgar Town, . Mr. Joseph Newcomb.

COUNTY OF YORK.

York, ... Mr. Samuel Came.
Kittery, . . . Mr. John Dennett.
Berwick, . . Mr. Elisha Plaisted.
Biddeford, . . Mr. Pendleton Fletcher.

ISLAND OF NANTUCKETT.

Sherburn, . . George Bunker, Esq.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON ON THE TWENTY-THIRD DAY OF AUGUST, A.D. 1721.

CHAPTER 1.

VOTE FOR ADJOURN^G MIDDLESEX COURTS.

WHEREAS, the Court of General Sessions of the peace and inferiour Court of Common pleas for the County of Middlesex is appointed by Law to be held at Concord, upon Tuesday the Twenty Ninth of August Instant, and Several of the members of this Court will be obliged to attend the Said Courts at Concord.

Ordered; That the Justices of the Said Courts of General Sessions of ye peace, & Inferiour Court of Common pleas, be directed, to adjourn the Said Courts, to Some Further & More Convenient time. [*Passed August 24.*

Legislative Records of the Council, xi., 203.

House Journal, p. 8.

CHAPTER 2.

ORDER FOR A GUARD AT THE COURT HOUSE TO PREVENT INFECTION.

Ordered, That three men be appointed by this Court to Stand Guard at the Door of the House to hinder any person, from the Town of Boston, Coming unto the House (without Licence first obtained) whereby the Small-Pox may be brought among the Members, of the Court, And, That Cp^t William Heath, have the Charge of the Guard. [*Passed August 26.*

Legislative Records of the Council, xi., 205.

Executive Records of the Council, vii., 262 *bis*. House Journal, p. 10.

CHAPTER 3.

RESOLVE ALLOWING £3. 9 TO ROBERT ORANGE.

A PETITION of Robert Orange, Setting forth that he was ordered by the Govr & Council to Pilot his Majesties Ship Sea Horse, down to Bird Island, when She was Infected, with the Small-Pox, and praying that he may be allowed, out of the publick Treasury the Sum of Three pounds, and Nine Shillings for that Service.

Read &

Resolved, that the Sum of Three pounds & Nine Shillings be allowed & paid out of the publick Treasury to Mr Robert Orange in full Discharge of his Acco^t. [*Passed September 1.*

Legislative Records of the Council, xi., 208.

Legislative Records of the Council, xi., 141, 142 *bis*. House Journal, p. 23.

CHAPTER 4.

ORDER ON JOHN PINDARS PETITION, COMPLAINING OF A JUDGMENT.

Legislative Records of the Council, xi., 216.

House Journal, p. 26.

A PETITION of John Pindar of Dover, in the Province of New-Hampshire, Shewing that Daniel Mervey of Reading, brought a Writt of Trespass & Ejectment, against Samuel Mervey then of Dover, aforesaid, to recover the Lands & premises in the Said Writt mentioned, & Express[d] to be heard & Tried at the Inferiour Court of Common pleas, held at Charlestown, for the County of Middlesex on the Second Tuesday of December 1712, where the Said Mervey Vouch[d] in the petitioner, & Judgment went against him, from which Judgm[t] he appealed to the Superiour Court next Ensuing, but through mistake in the reasons of appeal, they were Quashed, and the former Judgment was Confirmed; That the plantiff to the Said action did not attempt till Lately, to Oust the persons, Claiming under the petitioner, which is the reason that he hath not hitherto applied for relief, and therefore praying that he may be Impowered to file his reasons of appeal, De Novo, That So his Appeal may proceed to tryall, and That in the mean time a Writt of Trespass & Ejectment, brought by the S[d] Daniel Mervey founded on the former Judgment to be Tried at the Next Inferiour Court to be held at Concord for the Said County of Middlesex, may be Continued & abide the Event of the Said appeal.

Read &

Ordered,

That the petitioner Serve the adverse party with a Copy of this petition, that So he may Give in answer thereto, on the first week of the Next Session (if he Thinks fit) To Shew Cause if any he have, why the prayer of the petition may not be Granted, and That in the meantime, the Writt of Trespass & Ejectment be Continued. [*Passed September 1.*

CHAPTER 5.

RESOLVE ON GRACE STEVENS PETITION, GRANTING HER A LICENSE TO SELL LIQUORS.

Legislative Records of the Council, xi., 216.

House Journal, p. 26.

Province Laws, ii., 203, chap. 1.

A PETITION of Grace Stevens of Boston Setting forth that by reason of Sickness, She was unable to renew her Licence to retail Strong Drink at the Time Limited, by Law, and therefore praying that the Court of Generall Sessions of the peace for the County of Suffolk may be directed to allow her to renew her Licence.

[Read and]

Resolved, That the prayer of the petition be Granted, and that the Justices of the peace For the Said County, be directed to Grant, the petitioner, a Licence for Retailing, upon a proper, Application, and that in the mean time, she be allowed to Retail. [*Passed September 1.*

CHAPTER 6.

RESOLVE ALLOWING £6. 15 TO JAMES CLARK.

An Accompt presented by James Clark, for his attendance, on the Last assembly, at Cambridge, Amounting to the Sum of Six pounds & fifteen Shillings: Read & Legislative Records of the Council, xi., 217.

Resolved, That the Sum of Six pounds & fifteen Shillings be allowed & paid out of the publick Treasury to Mr James Clark, to discharge the Said accompt. [*Passed September 1.* House Journal, p. 26.

CHAPTER 7.

RESOLVE ALLOWING £1. 11 TO SAMLL MARSHALL.

An Accompt of Samuel Marshall for hire of a Boat, Carried to Arrowsick for the Service of the Province, Amot to thirty one Shillings. Legislative Records of the Council, xi., 219.

Read and

Resolved, that the Sum of one pounds[1] & Eleven Shillings, be allowed & paid out of the publick Treasury, to Mr Samll Marshall, to discharge the Said accompt. [*Passed September 2.* House Journal, p. 27.

CHAPTER 8.

RESOLVE ALLOWING £4. 7 TO THOS WITHERIL.

An Accompt of Thos Witheril, for Billeting Souldiers Impressd in his Majesties Service, in Collo Winslows regimt & Sailors in the Sd Service, from July 31st to Augst 4th 1721, Amot to the Sum of £4. 7/. Legislative Records of the Council, xi., 219.

Read &

Resolved, that the Sum of £4. 7/ be allowed and paid out of the publick Treasury, to Mr Thos Witheril to discharge his Sd Accompt. [*Passed September 2.* House Journal, p. 27.

CHAPTER 9.

RESOLVE ALLOWING £2. 12 TO JOB CUSHMAN.

An Accompt of, Job Cushman for Billeting Souldiers, Impressd for his Majesties Service at Plimouth from July 31st to August 4th 1721, amot to the Sum of Fifty Two Shillings. Read & Legislative Records of the Council, xi., 219.

Resolved, that the Sum of Two pounds & Twelve Shillings be allowd & paid out of the publick Treasury to Job Cushman, to discharge his Said accompt. [*Passed September 2.* House Journal, p. 27.

[1] *Sic.*

CHAPTER 10.

RESOLVE ALLOWING £6. 6. 8 TO CORNELIUS WHITE.

Legislative Records of the Council, xi., 219.

House Journal, p. 27.

AN ACCOMPT of Cornelius White of Billeting Soldiers, Impressed in his Majesties Service & Sailors in the Service at Marshfield, from July 31st to Augst 5th 1721, Amot to the Sum of Six pounds, Six Shillings & 8d.

Read &

Resolved, That the Sum of Six pounds Six Shillings and Eight pence, be allowed & paid out of the publick Treasury, to Mr Cornelius White, to discharge his Said accompt. [*Passed September 2.*

CHAPTER 11.

RESOLVE ALLOWING £76. 17 TO ISAAC LITTLE ESQR.

Legislative Records of the Council, xi., 219.

House Journal, p. 27.

AN ACCOMPT presented by Isaac Little, Esqr of the Charge of Fitting the Sloop Dove a Transport to Carry the Souldiers to Arrowsick, Provisions, Ammunitions and other Stores for ye Said Soldiers Amot to the Sum of £76. 17/.

Read &

Resolved, that the Sum of Seventy Six pounds Seventeen shillings be allowed, & paid out of the publick Treasury To, Isaac Little, Esqr to discharge the Said accompt. [*Passed September 2.*

CHAPTER 12.

RESOLVE ALLOWING £7. 17. 6 TO COLLO JOS: BUCKMINSTER.

Legislative Records of the Council, xi., 220.

House Journal, p. 27.

AN ACCOMPT presented by Joseph Buckminster, Esqr of Subsistence of Twenty one men (Impressed into his Majesties Service) Six days Amot to £7. 17. 6.

Read &

Resolved,

That the Sum of Seven pounds Seventeen Shillings & Six pence be allowed, & paid out of the publick Treasury to Jos: Buckminster, Esqr, to discharge his Accompt. [*Passed September 2.*

CHAPTER 13.

RESOLVE ALLOWING £51. 7 TO DISCHARGE ACCOUNT OF THE MUSTER ROLL OF SLOOP SEA FLOWER RICHD LANGDON MASTER.

Legislative Records of the Council, xi., 220.

House Journal, p. 27.

A MUSTER ROLL of the Sloop Sea Flower, Richard Langdon Mr. In his Majesties Service in a Voyage to Arowsick & back to Boston, Containing an Accot of Wages due, to the Sd Richard Langdon, & Company, together with the Hire of Sd Sloop from July 29th to August 29th 1721, Amot to the Sum of Fifty one pounds & Seven Shillings.

Read &

Resolved,
That the Sum of Fifty one pounds & Seven Shillings be allowed, & paid out of the publick Treasury, to Mr Richard Langdon, to Discharge the above Accot. [*Passed September 2.*

CHAPTER 14.

RESOLVE DIRECTING THE TREASURER TO SEND CLOTHING FOR THE EASTERN FORCES.

Resolved, That Mr Treasurer, be directed to Send Such a Number of Blanketts Shoes Stockings and other Cloathing as are Necessary, for the Supply of the Forces Sent to the Eastward. [*Passed September 2.*

Legislative Records of the Council, xi., 220.

House Journal, p. 27.

CHAPTER 15.

ORDER OF HEARING ON HUGH HALL ESQR HIS PETITION FOR REDEEMING MORTGAGED LAND.

A petition of Hugh Hall, jr of Barbadoes, Esqr Shewing That, His Grandfather Capt Benja Gibbs, Mortgaged his House and Land in Boston to Majr John Richards, & Soon after died beyond Sea Intestate, That Letters of administration were Granted to Lydia Gibbs his Widow, who Intermarried With, Capt Anthony Checkley, and thereby the Said Checkley, possesed himself of the Greattest part of the petitioners Grandfathers Estate, to the amount of Seventeen Hundred pounds, That the Sd Checkley prevailed upon his Wife to Sign, a minute in the Margin of the Said Mortgage Registred in the Registers office of the County, And the Same day takes a Conveyance from the Said Richards, in his Own name, paying part of the Consideration Money & Mortgaging the Said Estate for Securing the rest, That the Said Richards Sued out the Said Mortgage, & obtained Judgment for the Sum of Three Hundred Forty Eight pounds Four Shillings & Eight pence, on the premises, That in Some Short time, after, the Said Checkley died and the Whole of his Inventory amounted, but to Seventy pounds & one penny, That the petitioner (who is Sole Heir to his Said Grandfather has been kept out of the possession of the Said Estate, partly by his Infancy, & his residing in a foriegn Country, Since he came of age, & partly by the Legatees of the Said Richards, Assuring him from time to time, that they are Willing to Recieve the Principall and Interest, due on the Said Mortgage, but Now the Legatees refuse to take the Money, due on the Mortgage, pretending the Right of Redemption, is in the Heirs of the Said Checkley, Whereas in fact, the Estate was Originally the petitioners Grandfathers, & the payments made by the Said Checkley, Came out of the Same Estate and therefore praying, that By a private Act, he may be Enabled to Redeem the Mortgaged Premises, or may have Such Other Relief as to the Wisdom of this Court Shall Seem fitt.

Legislative Records of the Council, xi., 220.

Executive Records of the Council, vii., 277, 278, 281, 284, 289, 297, 299.

House Journal, p. 17.

Read & Referred; for a hearing, to the Second Wednesday of the Next Session of the General Court, and that the adverse party, be Served with a Copy of this petition. [*Passed September 4.*

CHAPTER 16.

ORDER OF HEARING ON PETITION OF NORTH INHABITANTS OF CHARLESTOWN TO BE SET OFF TO MALDEN.

Legislative Records of the Council, xi., 221.

House Journal, p. 29.

A PETITION of the Inhabitants of that part of Charlestown, that Lies on the North-Side of Mistick River, Shewing that the Most of them Live Eight or nine Miles, distant from the Meeting House, in the Said Town, & find Great difficulty & Inconvenience, in attending the publick Worship in the Said Town, and praying that they with their Estates, may be Sett off from Charlestown, & annexed to Malden, to which they adjoin, & are Conveniently Seated to do parish & Town duties, there.

Read And Referred for a Hearing, to the first Friday of the Next Session of the Generall Court. And That the adverse party,[1] be Served with a Copy of this petition. [*Passed September 4.*

CHAPTER 17.

RESOLVE ABOUT Y^E ESCAPE OF THE HOSTAGES.

Legislative Records of the Council, xi., 223.

Executive Records of the Council, vii., 231. House Journal, p. 34. *Infra*, chap. 18.

In the House of Representatives:

Resolved, That it is for the Service for[2] this Province That dispatches be Immediately sent to the Commanding officers[2] of the Forces in the Frontiers,

Advising him,[2] That the Four Indian Hostages made their Escape from Castle William the Last Night, and that he[2] dispatch Expresses, to the Several Companies & Garrisons in those parts acquainting them, therewith, that they may be more Strict on their Guard, to prevent a Surprize. In Council Read & Concurr:

And that the Severall officers on the Frontiers, be Impowered & Commanded, to Seize all the Eastern Indians, they can untill the Said Hostages be Either recovered, or Surrender themselves.

In the House of Representatives Read & Concurred. [*Passed September 6.*

CHAPTER 18.

RESOLVE ALLOWING A PRÆMIUM FOR THE APPREHEND^G INDIAN HOSTAGES.

Legislative Records of the Council, xi., 224.

House Journal, p. 36. *Supra*, chap. 17.

Resolved

That the Sum of Twenty pounds, p^r Head, be paid out of the publick Treasury, to Such person or persons, that shall Seize & bring back any of the Indian Hostages, to Boston within, Twenty days, from their Escape from Castle William, And that the Western Frontiers be Notified, of their Escape to prevent A Surprize. [*Passed September 6.*

[1] "*Charlestown*" in the House Journal, p. 29. [2] *Sic.*

CHAPTER 19.

RESOLVE FOR PAYMENT OF TREASURER ALLENS ACCO^T OF DISBURSMENTS.

An Accompt presented by Jeremiah Allen, Esqr, Treasurer of Disbursments, for Victualling Garrisons & Soldiers, Fitting & Victualling, Sloop Sea Flower, Taken up for the Commiss^rs, Incidental Charges, &c^a amounting to the Sum of £1,481. 4. 5.

Legislative Records of the Council, xi., 223.

House Journal, p. 35.

[Read and]

Resolved,

That the Sum of one Thousand, Four hundred and Eighty one pounds, Four Shillings & 5^d be allowed & paid out of the publick Treasury, To Jeremiah Allen, Esqr Treasurer[1] to discharge the Said Accompt. [*Passed September 6.*

CHAPTER 20.

RESOLVE ALLOWING COUNTY TREASURER OF ESSEX HIS ACCO^T.

An Acco^T presented by John Appleton, Esqr, Treasurer of the County of Essex for the Years 1719, & 1720, having been Allow^d by the Court of General Sessions of the peace for the S^d County.

Legislative Records of the Council, xi., 224.

House Journal, p. 29.

Read &

Resolv^d That the S^d Accompt be allowed. [*Passed September 6.*

CHAPTER 21.

RESOLVE RESPECT^G THE EASTERN INDIANS.

Resolved, That the Government hath Sufficient reason to prosecute the Eastern Indians for their Many Breaches, of their Covenants & Treaties and more Especially for their open Rebellion, Lately committed at Arowsick and to demand Satisfaction for the Injuries, done to his Majesties Subjects, in these parts & Security for their peaceable behaviour, for the future, and for the effectual prosecution, thereof, That one hundred & Fifty Effective men, be added to the Three Hundred & fifty already in the Service, in the Eastern Settlements, And that as soon as his Exellency, & the Council shall think proper, Three Hundred of the Said-men at least be Sent in Quest of the Said Indians, to march to their Head Quarters, or Such other places as may be likely to find them in, Siezing & Securing as Many as they shall find in their Marches; And that his Exellency be desir^d to Issue out a Proclamation, to be Sent by the Commd^g officer of the Said Forces, to be Interpreted to the Said Indians, Commanding them upon pain of being prosecuted with the Utmost Severity to deliver up the Jesuits, and the other Heads, & Fomenters of their Rebellion, and to Make Satisfaction, for the damage done by th^r repeated Hostilities, & Make proper Submission, for their Insolent Letter to his Exellency & this Government, and in case they refuse or Neglect Immediately to Comply fully with the Said Proclamation That then the Commanding officer, Order that as Many of their principall men, as he Shall Judge meet, be taken & Siezed, as hostages till they make restitution, & Satisfaction as abovesaid; And that Monsr Rallee, or any other French Priezt residing among

Legislative Records of the Council, xi., 224.

House Journal, pp. 33, 35, 37. Province Laws, ix., 685, chap. 91. *Ante*, p. 28, chap. 58; p. 30, chap. 64.

[1] The word "Treasurer" is underlined in the original.

y^m be Seized, & Secured & Sent to Boston, and in Case the Indians Shall forcibly oppose them in their Said attempt, that then they proceed to Repell Force by Force; That the remainder of the Forces be posted to Cover the Most Exposed, Parts in the Eastern Settlemt^s at the Direction of his Exellency the Govr, That an officer with a party of Thirty Soldiers of the Forces be Sent to apprehend Monsr Casteen And that he be Sent to Boston, to Answer for his heading the Indians, in their late Hostile appearance, under French Colours at Arowsick; That Fifty Good effective men more be Employed as Scouts, for Security of the Western Frontiers, To be posted in Such Towns as his Exellency Shall Judge Most Needfull; That the Soldiers that Are already Impressed, & all others that shall See Cause to Enlist shall recieve out of the publick Treasury Forty Shillings, per man as of Bounty; and That a present Not Exceeding In Value Five hundred pounds be made To the Five Nations of Maquas, to maintain & renew, The Ancient Friendship, between this Government, & those Nations. [*Passed September 7.*

CHAPTER 22.

ORDER ON SUTTON PETITION FOR EASE OF TAXES.

Legislative Records of the Council, xi., 225.

House Journal, p. 17. Province Laws, ii., 189, chap. 14.

A PETITION of the Inhabitants of Sutton praying that they may be Eased of a Tax of Six pounds Set on them by the Assembly this Year, In Consideration of their Inability to pay the Same, As also that they are not allowed any part of The Fifty Thousand pounds, to be distributed to the Several Towns according to their proportion to the Tax.

Read &

Ordered, That the prayer of this petition be Granted. [*Passed September 7.*

CHAPTER 23.

RESOLVE ALLOWING £4. 4. 6 TO JOHN FLAGG.

Legislative Records of the Council, xi., 225.

House Journal, p. 35.

AN ACCOMPT presented by John Flagg, of the Charge of Going Express to Ipswich, Several Disbursments for the General Court held at Cambridge, &c amounting to Four pounds Four Shillings & Six pence,

[Read and]

Resolved,

That the Sum of Four pounds Four Shillings & Six pence, be allowed & paid out of the publick Treasury, to John Flagg Doorkeeper, to Discharge the above Accompt. [*Passed September 7.*

CHAPTER 24.

RESOLVE ALLOWING £22. 4. 5 TO EDWARD WINSLOW.

Legislative Records of the Council, xi., 226.

House Journal, p. 36.

AN ACCOMPT presented by Capt Edward Winslow, of the Charge of repairing his Exellency the Gov^rs house In September 1721, Amo^t to the Sum of Twenty Two pounds Four Shillings & Five pence;

[Read and]

Resolved, That the Sum of Twenty Two pounds Four Shillings & Five pence, be allowed & paid out of the publick Treasury, to Edward Winslow Sherriff in full Discharge of this Accompt. [*Passed September 7.*

CHAPTER 25.

RESOLVE ALLOWING £7. 15 TO EDWARD WINSLOW ESQR.

An Accompt presented by Edward Winslow of the charge of making Two Halberts, Expressing of Letters &ca, Amot to the Sum of Seven pounds & Fifteen Shillings.

Legislative Records of the Council, xi., 226.

House Journal, p. 36.

[Read and]

Resolved, That the Sum of Seven pounds & Fifteen Shillings, be allowed and paid out of the publick Treasury, to Edward Winslow Esqr, In full Discharge of this Accompt. [*Passed September 7.*

CHAPTER 26.

RESOLVE FOR PAYMENT OF MUSTER ROLL OF NORTHFIELD GARRISON.

A Muster Roll of the Garrison at Northfield under the Command, of Sergt Joseph Kellog, Containing an accompt of Wages & Subsistance, due to them for their Service from January 26th 1720, to August 24th 1721, Amot to £187. 10/.

Legislative Records of the Council, xi., 226.

House Journal, p. 35.

[Read and]

Resolved, That the Sum of one hundred, Eighty Seven pounds Ten Shillings be allowed, & paid out of the publick Treasury, to Samll Patridge, Esqr, to discharge the Within Accompt. [*Passed September 7.*

CHAPTER 27.

RESOLVE ALLOWING £60. 15 TO NICHOLAS BOON.

An Accompt presented by Nicholas Boon, of the Charge of printing the Votes of the Representatives, for the Sessions of March & May last, printing the Election Sermon, paper &ca delivered to the Clark of the Representatives, amot to, Sixty pounds & Fifteen Shillings;

Legislative Records of the Council, xi., 226.

House Journal, p. 36.

[Read and]

Resolved, That the Sum of Sixty pounds & Fifteen Shillings, be allowed & paid out of the publick Treasury to Mr Nicholas Boon, in discharge of the Within Accompt. [*Passed September 7.*

CHAPTER 28.

VOTE FOR THE TOWNS TAKING OUT THEIR PART OF THE £50,000.

Whereas by an Act, of this Governmt for Emitting the Sum of Fifty, Thousand pounds in Bills of Credit, passd at a Session, of the Great & General Court or assembly, held at Boston, by prorogation on Wednesday, the fifteenth day of March last past, "It is Enacted That the Province Treasurer as Soon as he shall have recieved, the Said Bills shall Notify the Select men of the Several Towns, thereof, That So they may assemble the Freeholders Qualified, as in the Act is provided

Legislative Records of the Council, xi., 228.

House Journal, pp. 33, 34. Province Laws, ii., 189, chap. 14; 198.

to proceed and take out their proportions of the Said Bills, if they See meet and deliver them to Thier respective Trustees, or their Order, Taking their reciept for the Same,["] Mr Treasurer Allen, Informg The House that Forty Thousand pounds of the Fifty Thousand are made & finished, but that the other Ten Thousand pounds being made off of the plates of the Lowest Denominations, necessarily demand Some further time before they will be brought to him; wherefore,

Resolved, That Mr Treasurer Allen shall and may (notwithstanding the aforesaid Clause in the Act) Give out to the Trustees (or their Order) of all Such Towns as apply to him for their proportion of the Fifty Thousand pounds, as far as the Bills in his hands will Enable him, and that the Selectmen of the Several Towns,[1] assemble, the Freeholders of their respective Towns to chuse Trustees for disposing of their proportionable Sums. [*Passed September 7.*

CHAPTER 29.

ORDER ABOUT FUNERALS & TRAINGS IN BOSTON &cA.

Legislative Records of the Council, xi., 228.

House Journal, p. 39.

WHEREAS many persons, in the Town of Boston are Visited with the Small-Pox, and Several have died of that distemper, and if that Contagion should Continue, & Spread it would probably Occasion the Deaths of Sundry persons, and the Frequent ringing of Bells at Funerals, being found Very Inconvenient & prejudicial; Therefore,

Resolved, That No Bells shall be Tolled, for the Buriall of persons, that may dye of that or any other distemper, but what the Select-men, of the Town shall Order & direct, and that the Time of the Funerals Going shall be under the Order & regulation of the Said Select-men; And, That if any persons, Employd in Tolling the Several Bells in the Town of Boston shall Not observe the Orders and directions, of the Select-men in this affair,

They Shall for Every Such offence, forfeit & pay the Sum of Forty shillings to be recovered by Bill, plaint or Information in any of his Majesties Court of Records, or before any Justice of the peace in the County of Suffolk, The one half of Said Fine to be applied to & for the use of the poor in the Town of Boston, and the other half to him or them that Shall Inform & Sue for the Same, & Further That the Captns and officers of the Military Companys & Troops within the Town of Boston, do not Call forth their Respective Companys to do military Duty in the time of Sickness, Unless by Order of the Captain General or Commander in chief for the time being. [*Passed September 7.*

CHAPTER 30.

RESOLVE ALLOWING £14. 2 TO COLLO JOHN APPLETON.

Legislative Records of the Council, xi., 229.

House Journal, p. 36.

AN ACCOMPT presented by John Appleton, Esqr of the Subsistence of Souldiers Detached, from his regiment for the Service in the Eastern parts from the 27th to the 31st of July 1721, & provisions for their March, amountg to the Sum of £14. 2/.

[Read and]

[1] From this word on there is a repetition of a line in the Secretary's copy. The State Library copy has been followed.

Resolved
That the Sum of Fourteen pounds, & Two Shillings be allow[d] and paid out of the publick Treasury, to John Appleton, Esq[r] to discharge the Within Accompt. [*Passed September 7.*

CHAPTER 31.

ORDER ON PETITION OF DANIEL OLIVER & WILL[M] WELSTED ESQ[RS] EXECUTORS AND GUARDIANS FOR SALE OF AN INTEREST IN A POWDER MILL.

A petition of Daniel Oliver, & William Welstead, Esq[rs] Executors of the last will & Testament of Grove Hirst, Esq[r] & Guardians of his Children, praying that they may have Liberty, to Sell three Eigths & one Sixteenth of a Certain powder-Mill Erected on Neponset-River in Milton, the Same being of Little Benefitt to the Children at present, and Yet would fetch Something Considerable, and that they may have Liberty to prepare a Bill for that End.

Legislative Records of the Council, xi., 229.

House Journal, p. 40. Province Laws, vi., 133, chap. 59.

Read &
Ordered; That The prayer of the petition be Granted, and that the petitioners have leave, to bring in a Bill accordingly at the Next Session. [*Passed September 7.*

CHAPTER 32.

RESOLVE ALLOWING £150 TO MESS[RS] HUTCHINSON & WADSWORTH FOR REPAIRS AT CASTLE WILLIAM.

A Memorial of Edward Hutchinson Esq[r] & Cap[t] Joseph Wadsworth, a Committee for the effecting the repairs at Castle William Shewing that it is Necessary, for Carrying on the Said Works, That One hundred & Fifty pounds be paid to them, out of the publick Treasury, Read &

Legislative Records of the Council, xi., 230.

House Journal, pp. 39, 40. Province Laws, ix., 615, chap. 74.

Resolved That the Sum of one hundred & Fifty pounds be allowed and paid out of the publick Treasury to the above Committee for the Use herein Mentioned. [*Passed September 8.*

CHAPTER 33.

RESOLVE ALLOWING £36. 11 TO JOSIAH WILLARD.

An Accompt presented by Josiah Willard Esq[r] Secretary, of Fees due according to Establishment, for Work done for the publick in his office from March 1st 1720, to August 24th 1721, amounting to the Sum of £36. 11/.

Legislative Records of the Council, xi., 231.

House Journal, p. 43.

[Read and]
Resolved
That the Sum of Thirty Six pounds & Eleven Shillings be allowed and paid out of the publick Treasury to Josiah Willard Esq[r] Secretary to discharge the Said accompt.. [*Passed September 8.*

CHAPTER 34.

ORDER FOR FURNISHING STORES FOR THE FORCES &ᶜᵃ.

Legislative Records of the Council, xi., 232.

House Journal, p. 42.

Resolved that Mʳ Treasurer allen, procure provisions Ammunition and all other Necessarys for the Forces, abroad and that Shall be sent abroad, and for the Forts at the Eastward, for the Space of Two months, and if the Marching forces be Continued Longer, that he Take Care, that they be Supplied, with the Things above Enumerated, to the first of April Next, Likewise that he Take up a Convenient Sloop to attend the Forces. [*Passed September 8.*

CHAPTER 35.

ORDER REFERRING THE COMMITTEES REPORT UPON DORCHESTER AFFAIRS.

Legislative Records of the Council, xi., 232.

Legislative Records of the Council, xi., 163. House Journal, pp. 43, 44. *Ante*, p. 91, chap. 29.

Province of the Massachusets Bay Septr 7ᵗʰ 1721

THE COMMITTEE appointed by the General Court of the Sᵈ Province, by their Said Order Dated June Twenty second last past, to Enquire into the affair of Dorchester, relating to their Contentions, about their propriety Lands, Having repaired to the Said Town, Heard the allegations of the parties Concerned and Viewed the Records & papers, relating to the affair, do find in the Town Book of Dorchester, an Order recorded, Dated April 23ᵈ 1638, Relating to the disposition & dividing the Lands, belongᵍ to the Said Town of Dorchester Called the New Grant, upon which Said Order, the difference or Contention, betwixt the Inhabitants or proprietors of the Said Town of Dorchester hath Arisen But the Said Order is So Uncertain & Unintelligible, That Wee apprehend it was very hard & difficult, Ever for any Division to have been made, of the Said Land, Exactly agreeable, to the Said Order, and that the Inhabitants of the Said Town of Dorchester have Since the Date of the aforesaid Order, at Sundry times, divided & disposed of the Said Land, Called the New Grant, but Whither Agreeable to the aforesaid Order or No, wee Cannot detirmine because of the Uncertainty of it as aforesaid; By Order of the Committee.

JOHN CUSHING

Read &

Ordered, That the Further Consideration, of this Report, be referred to the Next Session, and in the Mean time the Former, Order of this Court relating to the affair abovesaid be revived, and Stand Good So far, as it Concerns the Staying & Continuing the Several Actions & Law Suits Depending and all other proceedings, Mentioned in the Said Order. [*Passed September 8.*

CHAPTER 36.

RESOLVE ALLOWING £500 TO HIS EXELLENCY THE GOVᴿ.

Legislative Records of the Council, xi., 233.

House Journal, p. 41.

Resolved

That the Sum of Five hundred pounds be allowed, & paid out of the publick Treasury to His Exellency Samuel Shute Esqʳ Captain General & Govʳ in Chief of this his Majesties Province, for his Support in managing the affairs of the Government. [*Passed September 9.*

CHAPTER 37.

RESOLVE ALLOWING £250 TO THE TREASURER.

Resolved
That the Sum of Two hundred & Fifty pounds be allowed & paid out of the publick Treasury, to Jeremiah Allen Esqr Treasurer of this Province, for his Service the Year past, in the Treasury & Supplying the Garrisons. [*Passed September 9.*

Legislative Records of the Council, xi., 233.
House Journal, p. 41.

CHAPTER 38.

RESOLVE ALLOWING £400 TO THE JUDGES.

Resolved That the Sum of Four hundred pounds, be allowed & paid out of ye publick Treasury to The Honb^le the Judges of the Superiour Court of Judicature, in proportion to the Courts, they attended last Year. [*Passed September 9.*

Legislative Records of the Council, xi., 234.
House Journal, p. 41.

CHAPTER 39.

RESOLVE ALLOWING £20 TO THE CLERK OF THE REPRESENTATIVES.

In The House of Representatatives,
Resolved
That the Sum of Twenty pounds be allowed & paid out of the publick Treasury to William Payne Esqr Clerk of this House in part for his Service the Year Curr^t.
In Council Read & Concurred. [*Passed September 9.*

Legislative Records of the Council, xi., 234.
House Journal, p. 41.

CHAPTER 40.

RESOLVE ALLOWING £25 TO JOHN FLAGG DOOR KEEPER.

Resolved
That the Sum of Twenty Five pounds be allowed & paid out of the publick Treasury, to Mr John Flagg, Doorkeeper to his Exellency, the Govr & this Court for half a Years Service Ending the 26th of June last. [*Passed September 9.*

Legislative Records of the Council, xi., 234.
House Journal, p. 42.

CHAPTER 41.

RESOLVE ALLOWING £2. 6 TO JOS: MARION.

An Accompt presented by Joseph Marion of Writing done for this Court Amo^t to the Sum of Two pounds & Six Shillings.
[Read and]

Legislative Records of the Council, xi., 234.

House Journal, p. 42.

Resolved,

That the Sum of Two pounds & Six Shillings, be allow[d] and paid out of the publick Treasury to M[r] Joseph Marion to to[1] discharge the Said accompt. [*Passed September 9.*

CHAPTER 42.

RESOLVE FOR A COMMITTEE TO INQUIRE AFTER THE STORES PROVIDED FOR THE COMMS[RS] TO AROWSICK.

Legislative Records of the Council, xi., 234.

House Journal, p. 45. Province Laws, ix., 701, chap. 129.

IN THE HOUSE OF REPRESENTATIVES; It being reported to this House, that Some of the stores provided for the Commiss[rs] that went to Arowsick, were not by them made use of.

Resolved, That the Representatives of the Town of Boston, with Such as the Honb[le] Board Shall appoint be a Committee to Enquire what Stores were left & make report to this Court Accordingly. In Council Read & Concurred & That Tho[s] Hutchinson & Tho[s] Fitch, Esq[rs] be added to the Committee of of[1] the House for the affair aforesaid. [*Passed September 9.*

CHAPTER 43.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP DOVE.

Legislative Records of the Council, xi., 235.

House Journal, p. 46.

A MUSTER ROLL of the Sloop Dove Isaac Bacon, Master in his Majesties Service, to Arowsick as a Transport, Containing an Acco[t] of the Hire of the S[d] Sloop and Wages Due, to her Company from the 1st to the 29th of August 1721, Amo[t] to the Sum of £43. 11. 10.

[Read and]

Resolv[d] That the Sum of Forty Three pounds Eleven Shillings, & Ten pence be allowed & paid out of the publick Treasury to M[r] Isaac Bacon to discharge this Accompt. [*Passed September 9.*

CHAPTER 44.

RESOLVE ALLOWING £40. 17 TO SAMUEL MEARS.

Legislative Records of the Council, xi., 236.

House Journal, p. 46.

AN ACCOMPT presented by Samuel Mears of Dining the Representatives Committees & Hire of his House for the Court &c[a] Amo[t] to the Sum of £40. 17/.

[Read and]

Resolved, that the Sum of Forty pounds, & Seventeen Shillings, be allowed & paid out of the publick Treasury to M[r] Samuel Mears, in full discharge of the above accompt. [*Passed September 9.*

[1] *Sic.*

CHAPTER 45.

ORDER FOR MAKING £8,000 IN BILLS OF CREDIT.

Ordered, That the Committee that made the last Bills of Credit on this Province, be desired and directed to print off & Finish as Soon as may be, the Sum of Eight Thousand pounds, off the plate of the Highest Denomination, & deliver them to the Province Treasurer, Taking his Reciept for the Same, the Said Committee to be paid for their Services for the last they made. [*Passed September 9.*

Legislative Records of the Council, xi., 236.

House Journal, p. 48.

CHAPTER 46.

RESOLVE ALLOWING £7. 16 TO THO^S COBBETT.

An Accompt of Thomas, Cobbett of the Charge of Guarding the Doors of the Court at this Session amounting to the Sum of £7. 16/.

[Read and]

Resolved That the Sum of Seven pounds & Sixteen Shillings be allow^d & paid out of the publick Treasury, To Thos Cobbett, to discharge the Said accompt. [*Passed September 9.*

Legislative Records of the Council, xi., 238.

House Journal, p. 46.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON ON THE SEVENTH DAY OF NOVEMBER, A.D. 1721.

CHAPTER 47.

VOTE RELATING TO THE COURTS SITTING AT CAMBRIDGE.

Legislative Records of the Council, xi., 241.

House Journal, p. 1. Province Laws, i., 315, chap. 4; 363.

WHEREAS the Great & General Court or assembly stood prorogued to the first Instant and were then designed to have met at Boston, being the place mentioned, in the Law prescribing the Form of the Writts for Calling the General Courts; and inasmuch as the Small pox is in all parts of the Town of Boston, and the Greatest: part of the Members, of this Court not having had the distemper forbids the Session being held there, for which reason his Excellency Issued out a proclamation, That the Session of the General Court should be held at Cambridge in the County of Middlesex, And Whereas the publick affairs of the Province demands a Speedy Session, The Members of the General Court being now met at Cambridge, & acquiescing with the reasons aforesaid,

Resolved, That the Great & General Court or assembly, Shall & may be Now held at Cambridge aforesaid for the reasons aforesaid, and that No Exception or advantage, shall be taken hereby Respecting the power of Removing the General Court from place to place. [*Passed November 7.*

CHAPTER 48.

RESOLVE ALLOWING 18/ 9 TO JOHN BROWN.

Legislative Records of the Council, xi., 243.

Legislative Records of the Council, xi., 235. House Journal, p. 3. *Ante*, p. 110, chap. 18.

AN ACCOMPT of John Brown for Subsistence of the Indian Hostages, when they were brought up to Cambridge, amounting to the Sum of Eighteen Shillings & nine pence

[Read and]

Resolved that the Sum of Eighteen Shillings & 9 pence be allowed & paid out of the publick Treasury to John Brown, to discharge the Said accompt. [*Passed November 9.*

CHAPTER 49.

VOTE ABOUT GOODS IMPORTED FROM NEW HAMPSHIRE.

Legislative Records of the Council, xi., 244.

WHEREAS, In & by an Act Entituled an Act for Laying Sundry Dutys on Goods, that shall be Imported into this Province from the Province of New Hampshire &c[a] made & pass[d] at the last Session of this Court,

in the Latter part of the first Enacting Paragraph, are the Words following Viz[t] [for all (other)[1] Sorts of Goods Wares or Merchandize whatsoever, Ten per cent ad Valorem].

Resolved, That Neither Boards, Staves nor any other Lumber, shall be Construed to be Comprehended in these Words, Goods Wares or Merchandize, nor, shall they be Subjected to the S[d] Duty or Impost of Ten per, cent ad Valorem and that if any person have paid Impost for any Boards Staves or Lumber, by Virtue of the aforesaid Act, The Impost officer is hereby directed to reimburse him So much money as he hath recieved on Such accounts. [*Passed November 9.*

Legislative Records of the Council, xi., 243. Executive Records of the Council, vii., 302. House Journal, p. 4. Province Laws, ii., 230, chap. 5.

CHAPTER 50.

RESOLVE ALLOWING £2 TO GEORGE GRAY.

A PETITION of George Gray a Soldier in the Service Eastward, praying that he may be allowed, for the Loss of his Gun which was Burnt at Falmouth.

Read &

Resolved That the Sum of Two pounds be allowed & paid out of the publick Treasury to the petitioner in Consideration of his Loss. [*Passed November 10.*

Legislative Records of the Council, xi., 245.

House Journal, p. 7.

CHAPTER 51.

ORDER APPOINTING A COMMITTEE OF BOTH HOUSES FOR BURNING TORN AND DEFACED BILLS.

In the House of Representatives

Ordered

That, the Representatives of the Towns of Boston Charlestown & Roxbury, with Such as the Honb[le] Board shall appoint be a Committee in the recess of the Court, to recieve of the Treasurer Such Bills of publick Credit in his keeping, as are Torn defaced and unfit for Service, Taking an Accompt of the Number of Each Sort & the Sum of them Give the Treasurer a Reciept for them, burn the Said Bills to Ashes, & make a Report of their Doings therein to this Court, In Council Read & Concurred, and

Order[d] That Penn Townsend, Thomas Hutchinson & Tho[s] Fitch Esq[rs] be Joined with the Committee of the House for the affair above. [*Passed November 10.*

Legislative Records of the Council, xi., 246.

House Journal, p. 6.

CHAPTER 52.

RESOLVE ALLOWING TREASURER ALLENS ACCO[T].

AN ACCOMPT of money paid & disbursed, By Jerêmiah Allen for Provisions Cloathing and other Necessaries for his Majesties Forces Eastward and other Incidental Charges for his Majesties Service from the 31st August 1721 to the 6th Novemb[r] Following, Amounting to the Sum of £1,657. 1. 5.

[Read and]

Legislative Records of the Council, xi., 246.

House Journal, p. 7. *Ante*, p. 116, chap. 34.

[1] The word in parentheses is omitted in Legislative Records of the Council, xi., 244.

Resolved That the Sum of Sixteen Hundred & Fifty Seven pounds one Shilling & Five pence, be allowed & paid out of the publick Treasury to Mr Jeremiah Allen, to discharge the Within Accompt. [*Passed November 10.*

CHAPTER 53.

RESOLVE ALLOWING £150 TO JOSIAH WILLARD ESQR.

Legislative Records of the Council, xi., 248.

House Journal, pp. 49, 76 (Nov., 1720); p. 9.

A MEMORIAL of Josiah Willard Esqr Secy of this Province, Shewing that the General Assembly at their session held Novr 2d 1720, were pleased in their allowance for the Memorialists, Service, to abate of the Sums Granted in the Former Years, Which happened (as he Supposes & has been Informed) from a Mistake as to the Profitts of his office which (besides what he recieves from the publick) are very Small & Inconsiderable, and have more Especially been so the last year, Though the Necessary Charges have been much Encreased, and that the Courts Sitting out of Town, has occasioned him an Extrodinary Expence, and a Loss of that time which he Used to redeem, for the Other Buisiness of his place, and therefore praying that this Court would Consider the premises and make him Such allowance for the Service of the last year as is Suitable to the Justice & honour of the Government, and the Importance & Trust of his office, and more Especially, that they would please to make provision for a Clerk for want of which he is put upon Such Labour as does Manifestly Impair his health and is attended with other Inconveniences.

[Read and]

Resolved, That the Sum of one hundred, & Fifty pounds, be allowed & paid out of the publick Treasury to Josiah Willard Esqr Secry for his Extrodinary Service, in the Year past. [*Passed November 11.*

CHAPTER 54.

VOTE ACCEPTING THE COMMITTEES REPORT ABOUT YE HOSTAGES.

Legislative Records of the Council, xi., 251.

Legislative Records of the Council, xi., 250. House Journal, p. 12. *Ante*, p. 120, chap. 48.

PENN TOWNSEND ESQR from the Committee appointed to Consider, about the Indian Hostages, Gave in the following Report, Vizt, Pursuant, to the Within Order, The Committee, therein Named mett & find itt difficult to form any projection better for Securing the Indian Hostages, than by Continuing them in Cambridge Goal, where they now be.

And upon View of the Sd Goal, The Committee are of Opinion that a Small matter of Charge, will Secure them So as to prevent any Escape, and that the Prison keeper be directed, to take due Care, to prevent persons Coming to them that may probably Endanger, their Being Infected, with the Small Pox, or faciliate their Escape: all which is humbly Submitted, PENN TOWNSEND in the name of the Commtee

In Council Read & Accepted,

In the House of Representatives Read & Concurred, and that Edmund Goffe & William Hutchinsons Esqrs be a Committee to look after the Securing of the Goal; and the Charge of it to be paid one half out of the publick Treasury, and the other half by the County of Middlesex, In Council Read & Concurred. [*Passed November 14.*

CHAPTER 55.

RESOLVE FOR AN ALLOWANCE TO THE POOR OF THE TOWN OF BOSTON.

WHEREAS by reason of the Small Pox, So Generally prevailing in the Town of Boston, many persons are reduced to Very Great Strieghts & Necessitous Circumstances, who Otherwise, would have been in a Capacity, to have Subsisted their Families in Comfortable Circumstances.

Resolved, That the Sum of one Thous^d^ pounds, be allowed & paid out of the publick Treasury to the Select men and the Overseers, of the poor of the Town of Boston, to be distributed among Such persons, as they shall account to Stand in Need of Relief for the reasons aforesaid. [*Passed November 14.*

Legislative Records of the Council, xi., 251.

House Journal, p. 12.

CHAPTER 56.

VOTE FOR REMOV^G^ THE COURTS IN MIDDLESEX.

WHEREAS, the Court of General Sessions of the peace, & Inferiour Court of Common pleas for the County of Middlesex, is appointed by Law to be held at Charlestown upon the Second Tuesday of December next, and the Said Town of Charlestown is much Infected with the Small Pox, So that Many members, of the Said Courts & others Concerned in attendance will be in Danger of Taking the Infection.

Ordered, That the Said Court be removed to the Town of Concord, within the Said County of Middlesex, and be there held & kept at the Said Town of Concord on the Second Tuesday of December next aforesaid, Any Law Usage or Custom to the Contrary notwithstanding. [*Passed November 14.*

Legislative Records of the Council, xi., 252.

House Journal, p. 13. Province Laws, i., 367, chap. 1; 369, chap. 2; 418.

CHAPTER 57.

RESOLVE ALLOWING £10. 11 TO ELEAZAR FLAGG.

AN ACCOMPT of Eleazar Flagg for Subsisting Twenty Souldiers, Impressed, for his Majesties Service, Amo^t^ to the Sum of £10. 11/.

[Read and]

Resolved

That the Sum of Ten pounds Eleven Shillings,[1] be allow^d^ and paid out of the publick Treasury, to Major Eleazar Flagg to discharge the Said accompt. [*Passed November 14.*

Legislative Records of the Council, xi., 252.

House Journal, p. 11.

[1] The resolve as passed in the House Nov. 13, 1721, appears to have been in the following form, viz.: —

"*Resolved*, That the Sum of £10. 4. 6 be Allowed and Paid out of the Publick Treasury to Major *Eleazer Flagg*, to discharge said Accompt." — House Journal, p. 11.

CHAPTER 58.

RESOLVE ABOUT A GRANADA SHELL THROWN INTO DR MATHERS HOUSE.

Legislative Records of the Council, xi., 254.

Executive Records of the Council, vii., 316. House Journal, p. 15.

WHEREAS, This House is well Informed that on Tuesday morning last Some hours before day, a Granada Shell, Loaded with Combustible matter and a Lighted Fuse, to it, was by some Unknown Villain, thrown into the House of the Revrd Dr Cotton Mather in Boston, through the Glass of the Window of one of the Chambers, to the Great Terror, Of the Family & Endangering of the Neighbouring houses

Resolved, That the Sum of Fifty pounds, be allowd and paid out of the publick Treasury, to Such person or persons, as Shall discover the Author of the above Said Wickedness, So that he be brought to Exemplary Justice, and that his Exellency the Govr be desired to Issue out his Proclamation accordingly. [*Passed November 15.*

CHAPTER 59.

ORDER FOR CONTINUING THE SUPERIOUR COURT IN THE COUNTIES OF SUFFOLK AND MIDDLESEX.

Legislative Records of the Council, xi., 254.

House Journal, pp. 17, 18. Province Laws, ii., 211, chap. 3; 219.

WHEREAS, the Superiour Court of Judicature Court of Assize & General Goal Delivery for the County of Suffolk by reason of the Small Pox in Boston was Ordered by this Court, to be holden & kept at Roxbury for the Said County, on the First Tuesday of Novr last, and by reason of the Sitting of the General Court at the Same time was by the Justices of the Said Superiour Court adjournd to the Fifth of December Next, but the Small Pox being and Increasing in the Said Town of Roxbury, So that Several of the Justices of the Said Court, & others Concerned in attendance, may be in Danger of taking the Infection.

Ordered, That all Actions, Suits, & processes, appeals, Reviews, Recognizances, Tryalls, & other matters & things, that were to be heard & detirmined, at and by the Said Court, which was to have Sat the First Tuesday, of this Instant November, and adjourned as Aforesaid, be further Continued, to the Superiour Court of Judicature Court of assize & General Goal Delivery, to be Holden at Boston for the Said County on the First Tuesday of May next, Or otherwise to be adjourned, with respect to time & place, as the Govr & Council in the recess of the General Court shall See most Safe,[1] And Whereas the Superiour Court of Judicature Court of assize & General Goal Delivery, appointed by Law to be holden & kept at Charlestown in the County of Middlesex, on the last Tuesday of January and the Town of Charlestown is much Infected with the Small Pox, whereby Some of the Justices of the Said Court and others Concerned in attendance, may be In Danger of taking the Infection there also.

Ordered, That all Actions Suits processes Appeals Reviews & Recognizances, Tryalls & other Matters & things that by Law are to be heard and detirmined, at & by the Said Court, be Continued to the Superiour Court of Judicature Court of Assize & General Goal Delivery, to be holden at Cambridge, the last Tuesday of July next for

[1] "And convenient," House Journal, p. 18.

the S^d County of Middlesex, Or be otherwise adjourned in Respect of Time & place, as the Govr & Council, in the Recess of the General Court, Shall see most Safe & Convenient. [*Passed November 16.*

CHAPTER 60.

RESOLVE ALLOWING £15 FOR ABIGAIL CLARK.

A PETITION of Abigail Clark, praying an allowance, in Consideration of the Wounds her husband (Lately dec^d) Received, in the publick Service and the Charge of his funeral.

Legislative Records of the Council, xi., 256.

[Read and]

House Journal, p. 18.

Resolved, That the sum of Fifteen pounds be allowed & paid out of the publick Treasury, to John Wainwright Esqr, & Mr Nathl Knolton for the Use of abigail Clark, the petitioner. [*Passed November 16.*

CHAPTER 61.

RESOLVE ALLOWING £15 TO HUGH PIKE.

A PETITION of Hugh Pike praying an allowance from this Court for wounds he recieved, in the publick Service against the Indian Enemy, by which he is disabled, from doing any thing for the Support, of himself & Family,

Legislative Records of the Council, xi., 256.

[Read and]

House Journal, p. 18.

Resolv^d That the Sum of Fifteen pounds be allowed & paid out of the publick Treasury to Hugh Pike the petitioner, for the reason therein Mentioned. [*Passed November 16.*

CHAPTER 62.

RESOLVE ALLOWING £4 TO EDM^D ANGIER.

AN ACCOMPT of Edmund Angier of Subsisting Twenty Souldiers (Impressed in his Majesties Service) Four days, by Order of Jonas Bond Esqr, Amo^t to Four pounds

Legislative Records of the Council, xi., 256.

[Read and]

House Journal, p. 19.

Resolved that the Sum of Four pounds be allowed & paid out of the publick Treasury to Mr Edm^d Angier to discharge the Said Accompt. [*Passed November 16.*

CHAPTER 63.

VOTE RESPECTING THE EASTERN INDIANS.

IN THE HOUSE OF REPRESENTATIVES this Court having now Resolved, that they have Still Sufficient reason to prosecute ye Eastern Indians, for their Late Rebellion at Arowsick.

Legislative Records of the Council, xi., 257.

Legislative Records of the Council, xi., 202, 249. House Journal, p. 22. Province Laws, ii., 228, chap. 2. *Ante*, p. 28, chap. 58.

Voted, That Effectual Care be taken to prevent any trade or Commerce with those Indians, Pursuant to an Act, of this Government, at their last Sessions, And That His Excellency be desired to Give Strict Charge to the officers in pay, of this Government, to See that the aforesaid act, be duely kept and observed, Each Commissioner officer to have a Copy, And the Act to be Read, once a Month, at the Head of Every Company The Government, Justly Expecting that if any Breach of the Same, come to their Knowledge, they Inform thereof, that it may be prosecuted as the Law directs.

That but Two hundred Good Effective men of the Three hundred & fifty, already out in the Service of this Government, on the Eastern Frontiers, be Still Continued in the Service till further Order of this Government, The one hundred men that were first Impressed to be dismissed if they see Cause. That his Excellency be desired to Give Orders that one half of the Two hundred men, be posted in the most Suitable & Convenient places for Securing those Eastern plantations; The Other half to be Employed in Travelling to discover the Countrey & the Indians Carrying places, The keeping in Garrison, & march^g to be performed, by the Forces alternately.

That, Oosomochis, Amisanara, Albemingis Wowenungitt, Quereburuit, Otohbahanet, & Nathl The Fomenters, and Instigators of the many Outrages, and Injuries from time to, time, done upon the people, there together, with Such Other Indians, as are deemed the principall Movers, in the late Rebellion, & Insults of the Indians, be Siezed & Secured and Sent to Boston, and that his Exellency be desired to Give orders, to the Commanding officer of the Forces, to use their Utmost Care, that those persons be Seized & Secured as afores^d

That, it will be of Singular Service to this Province, That Monsr Rallee, a French priest or Jesuit residing there be apprehended, & rendered to Justice, for his Instigating and Stirring up the Indians, to their most Villanous, Outrages from time to time offered to his Majestys Leige people, Inhabitants of this Province, that therefore a Reward of Two hundred pounds be allowed & paid out of the publick Treasury, to Such person or persons whither English Or Indians, as Shall take & Convoy, Monsr Rallee to Boston, or any other French Priest or Jesuit, that may be found in this Province, it being Contrary to a Good & &[1] Wholsome Law of this Province for any Such person to reside their.

The House being humbly of opinion, That if these Methods be pursued, it will (by the Blessing of God) Reduce those Indians to Straits & difficulties, as will Necessitate them to Come & offer, proper Submision, to this Government, and make Satisfaction for their repeated Wrongs & Injuries, which will be a means, to Encourage our Settlements in those parts.

In Council, Read & Concurred. [*Passed November 17.*

CHAPTER 64.

RESOLVE ALLOWING £86. 8. 9 TO DISCHARGE SAM^LL WILLARDS ACCO^T OF A SCOUT ON THE WESTERN FRONTIERS.

Legislative Records of the Council, xi., 259.

House Journal, p. 21.

AN ACCOMPT presented, by Samuel Willard of the Subsistence of himself, & Eight, other Troopers, Employed as A Scout, on the Western Frontiers, from Septr 22^d, to Novr 15th 1721; Amo^t to the Sum of £86. 8. 9.

[Read and]

[1] *Sic.*

Resolved, That the Sum of Eighty Six pounds Eight Shillings & nine pence, be allowed & paid out of the publick Treasury, to discharge the S^d Accompt. [*Passed November 17.*

CHAPTER 65.

RESOLVE ALLOWING £22. 6. 10 TO EDWARD WINSLOW ESQ.

AN ACCOMPT Presented by Edward Winslow, Esqr of the repairs of his Exellencys house, amo^t to the Sum of £22. 6. 10.

Legislative Records of the Council, xi., 259.

[Read and]

Resolved that the Sum of Twenty Two pounds Six Shillings & 10^d be allowed & paid out of the publick Treasury to Mr Sherriff Winslow, in full discharge of the Within Accompt. [*Passed November 17.*[1]

House Journal, pp. 20, 21.

CHAPTER 66.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT NORTHFIELD.

A MUSTER ROLL of the Garrison at Northfield, under the Command of, Sergeant Joseph Kellog, Containing an accompt of their Wages & Subsistence, from Augs^t 24th to the last of Novr 1721. being Fourteen Weeks, together with the Surgeons Bill amo^t to, £88. 12. 8.

Legislative Records of the Council, xi., 259.

House Journal, p. 22.

[Read and]

Resolved,

That the Sum of Eighty Eight pounds, Twelve Shillings & Eight pence, be allowed & paid out of the publick Treasury to Samuel Partridge, Esqr in full discharge of the Said Accompt. [*Passed November 17.*

CHAPTER 67.

RESOLVE ALLOWING £500 TO HIS EXCELLENCY THE GOVERNOUR.

Resolved, that the Sum of Five hundred pounds be allowed & paid out of the publick Treasury to His Excellency Samuel Shute, Esqr Capt Generall & Govr in Chief of this his Majesties Province for his Support, in Managing the affairs of the Government. [*Passed November 17.*

Legislative Records of the Council, xi., 260.

House Journal, p. 24.

CHAPTER 68.

RESOLVE ALLOWING £30 TO WILLIAM PAYNE ESQ^R.

In the House of Representatives;

Legislative Records of the Council, xi., 260.

Resolved,

That the Sum of Thirty pounds be allowed and paid out of the publick Treasury, to William Payne, Esqr Clerk of this House for his Service in the Year Currant.

House Journal, p. 24.

In Council; Read & Concurred. [*Passed November 17.*

[1] There is a slight verbal difference between the foregoing and the House Journal, pp. 20, 21.

CHAPTER 69.

RESOLVE ALLOWING £25 TO JOHN FLAGG.

Legislative Records of the Council, xi., 260.

House Journal, p. 24.

Resolved, That the Sum of Twenty Five pounds, be allowed & paid out of the publick Treasury, to Mr John Flagg, Doorkeeper to his Exellency the Govr & this Court for his Service half a year Ending the Twenty Sixth of December Next. [*Passed November 17.*

CHAPTER 70.

RESOLVE ALLOWING £2. 4 TO JAMES CLARK.

Legislative Records of the Council, xi., 260.

House Journal, p. 21.

AN ACCOMPT of James Clark for his attendance on the Court this Session, & his Ringing the Bell for their meeting amot to £2. 4/.

[Read and]

Resolved, That the Sum of Two pounds & Four Shillings be allowed & paid out of the publick Treasury to James Clark to discharge the Said accompt. [*Passed November 17.*

CHAPTER 71.

RESOLVE ALLOWING £5 TO JNO FLAGG.

Legislative Records of the Council, xi., 260.

House Journal, p. 24.

A PETITION of John Flagg praying an allowance for his Extraordinary Service in attending the General Court at Cambridge & at the George Tavern.

Read and

Resolved, That the Sum of Five pounds be allowed & paid out of the publick Treasury, to John Flagg, Doorkeeper For the Reasons therein mentioned. [*Passed November 17.*

CHAPTER 72.

RESOLVE ALLOWING £21. 13. 4 TO NICHOLAS BOON.

Legislative Records of the Council, xi., 261.

House Journal, p. 8.

AN ACCOMPT presented by Nicholas Boon of printing the Votes of the House for the last Session, Amot to the Sum of £21. 13. 4.

[Read and]

Resolved,

That the Sum of Twenty one pounds, Thirteen Shillings and Four pence be allowed & paid out of the publick Treasury to Mr Nicholas Boon to discharge the Sd Accompt. [*Passed November 17.*

RESOLVES, ORDERS, VOTES, ETC.

Passed at the Session begun and held at Boston, on the Second Day of March, A.D. 1721.

CHAPTER 73.

RESOLVE ON MOSES SMITH'S PETITION, CONFIRMING TITLE TO LAND.

A petition of Moses Smith, Shewing, That the Indian Meeting House at Natick is very much decayed & out of Repair, and, that the Inhabitants had agreed with him to fit & repair the Same, for which he is to have Forty Acres of Land Lying on the South west Side of Pagon Hill, and praying a Confirmation of the Said Land to him & his Heirs. Read and

Resolved, That the prayer of the petition be Granted. [*Passed March 6.*

Legislative Records of the Council, xi., 264.

House Journal, p. 3.

CHAPTER 74.

ORDER ON PETITION OF Y^E TOWNS OF CONCORD SUDBURY &c^A ON CONCORD RIV^R COMPLAINING OF A NEW DAM.

A petition of Divers of the Inhabitants of Conçord, Sudbury, and other the Neighbouring Towns, Shewing that they have formerly been much Benefited by the Fish Coming up Concord River, but Since the Erecting a Mill Dam thereon within the Town of Bilrica, By Christopher Osgood, The Fish have been almost Wholly Obstructed from passing up, That they Conceive the Said Dam to be Erected Contrary to Law the River being thereby Stopped and a Great Quantity of their Land Laid under Water, that the Said Osgood being directed by the Commissioners of Sewers to remove the Said Dam utterly neglects & refuses it, and therefore praying that Nothing may be Revoked, of the power Given to the S^d Commission^rs But that Such Farther Strength, & authority may be Given them as this Court in their Wisdom may think meet.

Read &

Ordered, That the Petitioners Serve the adverse party, with a Copy of the petition, that he may shew Cause (if any he have) Why the prayer of the petition, may not be granted, on the Second Wednesday, of the Next Session. [*Passed March 6.*

Legislative Records of the Council, xi., 264.

Legislative Records of the Council, x., 244. Executive Records of the Council, vii., 298, 342, 396, 433. House Journal, p. 3.

CHAPTER 75.

RESOLVE ON JOHN WODDENS PETITION FOR LAYING OUT LAND.

Legislative Records of the Council, xi., 267.

House Journal, p. 5.

A PETITION of John Wodden, shewing that a Tract of Land was Granted, by the General Court to his Father John Wodden dec^d Contain^g one hundred & fifty acres & was laid out to him on the North Side of Merrimeck River which was Given by the last named John Wodden to the petitioner, but by reason of a Long War, no Care was taken to keep up the Bounds, So that they are In a Great Measure Lost, and praying Liberty to have the Land, Laid out a New, as near the place as possible, by men under Oath, and a Return made to this Court, for their Confirmation.

Read &

Resolved, that the prayer of the petition be Granted (Provided the Grant, hath not been already taken up) Any Law Usage or Custom to the Contrary Notwithstand^g and Not Infringing upon any former Grant. [*Passed March 7.*

CHAPTER 76.

RESOLVE ALLOWING £5 TO JOSIAH WILLARD.

Legislative Records of the Council, xi., 269.

Resolved, that the Sum of Five pounds, be allowed & paid out of the publick Treasury to Josiah Willard, Esqr Sec^ry for So much he advanced to Rowland Dyke, who was Sent Express to the officers Eastward. [*Passed March 9.*[1]

CHAPTER 77.

RESOLVE ALLOWING £22. 13 TO JOSIAH WILLARD.

Legislative Records of the Council, xi., 270.

AN ACCOMPT presented, by Josiah Willard, Esqr Secretary of fees for writing &c^a done in his office, from August 24th to March 1st 1721, amo^t to £22. 13/.

[Read and]

Resolved that the Sum of Twenty Two pounds Thirteen Shillings be allowed & paid out of the publick Treasury, to Josiah Willard, Esqr Sec^ry to discharge the Said Acc^p^t. [*Passed March 9.*

CHAPTER 78.

RESOLVE ALLOWING £15. 10. 3 TO BENJ^A ELIOT.

Legislative Records of the Council, xi., 270.

AN ACCOMPT presented by Benj^a Eliot of Laws delivered to the Sherriff of the County of Suffolk, for the Several Towns in the Province, and the members of the General Assembly, Stationer's Wares for the Council Chamber, &c^a amo^t to £15. 10. 3.

[1] See House Journal, June 2, 1722, p. 6.

[Read and]

Resolved, That the Sum of Fifteen pounds Ten Shillg^s & 3^d pence[1] be allowed & paid out of the publick Treasury to Benj^a Eliott, Stationer, to discharge the Said accompt. [*Passed March 9.*

CHAPTER 79.

ORDER FOR REMOV^G MIDDLESEX COURT FROM CHARLESTOWN TO CONCORD.

Whereas, the Court, of General, Sessions of the peace, & Inferiour Court of Common Pleas for the County of Middlesex, is appointed by Law to be held at Charles town upon the Second Tuesday of March Instant, and the Said Town, having been Lately Very much Infected with the Sm^ll Pox, So that many of the members of the Said Court and others Concerned, in attendance may be in Danger of Taking the Said Infection.

Legislative Records of the Council, xi., 270.

Province Laws, i., 367, chap. 1; 369, chap. 2; 418.

Resolved & Ordered,

That the Said Court be removed, to the Town of Concord, within the S^d County of Middlesex and be held & kept at the S^d Town of Concord, on the Second Tuesday of april Next, and that all Originall process Judicial, Proceedings, Precepts Bail Bonds or other Thing, or Things whatsoever, returnable at the Said Court, of General Sessions, of the peace or Inferiour Court of Common pleas shall Stand, & Continue unto the Said day, & may be there hear^d pleaded & proceeded on, & all, Parties, that have Day by any Writts pleas Actions Suits, Precepts or other Thing or Things whatsoever at or In Either of the S^d Courts, appointed to be holden at Charles town, as aforesaid, shall Respectively appear at the Said Courts to be holden at Concord, on the S^d Second Tuesday of April under Penalty of Forfeiting their Bail Bonds, or any other Penalty, that might have Incurred, upon the Said Parties, for not appearing at the Said Courts respectively at Charlestown on the Second Tuesday of March, as aforesaid, and all Grand Jurors or Petit Jurors, Chosen or to be Chosen, to Serve at the Said Courts, or for the Year, are hereby obliged, to appear and Serve as if the Said Courts, had been held at Charlestown on the Second Tuesday of March as aforesaid, Any Law Usage or Custom, to the Contrary notwithstanding. [*Passed March 9.*

CHAPTER 80.

ORDER ON DANIEL OLIVER & W^M WELSTEAD ESQ^RS THEIR PETITION AS GUARDIANS FOR SALE OF WARD'S INTEREST IN A MILL.

The Petition of Daniel Oliver and William Welstead, Esq^rs Guardians to the Children of Grove Hirst, Esqr & Executors of his last Will & Testament, pray^g that they may have Liberty to Sell the parts of the Mills on Neponset, River, belonging to the Said Children, The profitt of the Same being Very Inconsiderable.

Legislative Records of the Council, xi., 271.

Province Laws, vi., 133, No. 59. *Ante*, p. 115, chap. 31.

Read &

Ordered; That the prayer of the petition be Granted, and that the petitioners have Licence, to bring in a Bill accordingly. [*Passed March 14.*

[1] *Sic.*

CHAPTER 81.

VOTE FOR A NEW INDEX FOR THE LAW BOOK.

Legislative Records of the Council, xi., 271.

Resolved, That a New and more perfect Index be Composed for the Law Book at the Charge of the Province, and one of them be delivr^d^ to Each of the present Members, for the use of their Town And that Addington Davenport, Paul Dudley, Esq^rs^ & the Secretary, be a Committee for the effecting the Said Work. [*Passed March 14.*

CHAPTER 82.

ORDER ON PETITION OF NATH^L^ HUBBARD & OTHERS OF DORCHESTER TO BE SET OFF TO DEDHAM.

Legislative Records of the Council, xi., 272.

A PETITION of Nathl Hubbard, & Sundry other Inhabitants of Dorchester Liv^g^ on the Northwest Side of Neponset River, Shewing that they are at a Great distance, from both the Churches in the Said Town, to the Support of which they are Taxed, and that they are much nearer to the Church at Dedham, where they Constantly attend, and think themselves Obliged to Contribute, and therefore praying that they may be Sett off from their Respective Parishes, in Dorchester afores^d^ and annexed, to, the Parish in Dedham.

Read &

Ordered, That the Town of Dorchester be Served, with a Copy of this Petition, that they may shew Cause, (if any they have) on the Third, Wednesday, of the May Session, Why the prayer of the petition, may not be Granted. [*Passed March 15.*

CHAPTER 83.

ORDER FOR CONFIRMING THE NEW GRANT TO THE TOWN OF SHERBURNE.

Legislative Records of the Council, xi., 272.

Ante, p. 79, chap. 1.

MR JOHN DEATH, Representative of the Town of Sherburne, hav^g^ produced a receipt from the Treasurer, for the paym^t^ of Ninety Two pounds, Ten Shillings the, Value of the Lands, allowed them the Last may Session at Six pence p^r^ aere, desired the money might be accepted (though it was not paid, by the time proposed, by the, General Court) And, that the Three Thousand Seven hundred Aeres of Land then added to the Town of Sherburne, may be Confirm^d^ to them, Read, &

Ordered, That, the Said money be accepted, and the S^d^ Land be accordingly Confirmed, to the Said, Town of Sherburne. [*Passed March 15.*

CHAPTER 84.

ORDER ON MARG^ET^ WRITINGTONS PETITION FOR POWER TO SELL LAND.

Legislative Records of the Council, xi., 273.

A PETITION of Margarett Writington of Newport in the Colony of Rhode Island, Widow praying that she may be Impowered, to Sell Several Lotts of Land in the Township of Little Compton, (left to

her by her Father (Thos Ward in fee Tail) for the payment of her Debtes and the Support of her Children. Read &

Ordered; That the petitioner be Impowered, with Consent and approbation of the Judge of the Probate of Wills, for the County of Bristoll, to Execute a Good and Sufficient Deed or deeds in the Law, for the Sale of the Severall Lotts, Lying in the Township of Little Compton, Left to her by her Father, Except those Tracts, marked in the Margin, of the apprizemt of the Said Lands, by John Wood, William, Peabody & Thos Gray, (amot to the Sum of Five hundred pounds) Provided the Judge of Probates take effectual Care and Sufficient Security, that the money produced by the Sale, be applied, first to the payment of the petitioners Just Debts, and the remainder thereof, to the Support of Her & her Family, and, that she have Leave to bring in a Bill accordingly. [*Passed March 16.*

CHAPTER 85.

ORDER ON THE PETITION OF JOHN BILLINGS & OTHERS OF DORCHESTER FOR A NEW TRIAL.

Resolved, That the Meeting of the Proprietors of Dorchester, in the Year 1718, and the Several adjournments thereof, by Virtue of a Warrant of Mr Justice Lynde be held and deemed, Good & Valid, The absence of the Moderator, and the other Objections made thereto notwithstanding, and that the petitioners be Enabled to have a Tryall at the Next Superiour Court for the County of Suffolk &ca by a Jury, The Costs hitherto to remain as they are. [*Passed March 16.*

Legislative Records of the Council, xi., 273.

Ante, p. 116, chap. 35.

CHAPTER 86.

RESOLVE ON BLAKE & SUMNERS PETITION COMPLAINING OF A JUDGMENT AGAINST THEM FOR CRIME.

A petition of Jonathan Blake George Sumner William Sumner, & Edward Sumner Shewing that they being Summoned to the Superiour Court at Boston, as Witnesses in the Case of Nathl Glover, & Joseph Hall, under a presentment for Fraudulently Razing altering & adding Certain Words, to a Warrant, found themselves to their Great Surprize, presented for the Same Crime of which they were very Innocent, That they were found Guilty by the Jury & fined by the Court, praying that they may be admitted to a New Tryall, before the Sd Court or otherwise Relieved, as to their Good name. In the House of Representatives Read &

Resolved, that the prayer of the petition be Granted, and that the petitioners be allowed, to bring in a Bill, accordingly, In Council Read & Concurred, Provided all the Evidences at the Former Tryall, may be had at the Trial hereby allowed.

In the House of Representatives; Read & Concurrd. [*Passed March 16.*

Legislative Records of the Council, xi., 274.

Province Laws, vi., 144, No. 67.

CHAPTER 87.

ORDER FOR A COMMITTEE OF BOTH HOUSES ON THE AFFAIR OF SUDBURY WEST MEETING HOUSE.

Legislative Records of the Council, xi., 277.

Legislative Records of the Council, xi., 276 *bis*. Province Laws, ix., 451, chap. 155. *Ante*, p. 80, chap. 4.

IN COUNCIL; the Board having non Concurred the Vote of the Honb^le House, referring to the placing the Meeting House of, Sudbury, & having also Considered, the Great dissatisfaction, of the Inhabitants on the West Side, of the Said Town, with the Order of the General Court at their Session; Decr 1715, appointing the place of the Meeting House, on the West Side Near Poplar Swamp Gutter between the Said Gutter, and Hart Pond.

Voted, That, William Tailer, Paul Dudley and Samuel Thaxter, Esq^rs, with Such as the Honb^le House shall appoint be a Committee, once more to View the Several places proposed, or that may be proposed for the Meeting House on the West Side of the River, and Report where it may be placed most Conveniently, for the Accomadating the Inhabitants on that Side the River, So always, that the Salary, of the Revr^d Mr Loring, be no ways diminished. In the House of Representatives; Read, & Concurred, and,

Voted that Mr Ebenezer Stone, Mr William Wilson, Mr Jabez Fairbanks, & Francis Bowman, Esq^rs be added to the Committee, and, that the Town of Sudbury be at the Charge of the Committee.

In Council; Read & Concurred. [*Passed March 20.*

CHAPTER 88.

ORDER OF HEARING ON PETITION OF SELECTMEN OF MENDON, PRAYING SUSPENSION OF AN ORDER OF THE COURT.

Legislative Records of the Council, xi., 278.

Province Laws, ix., 693, chap. 106. *Ante*, p. 89, chap. 23.

A PETITION of the Select Men of Mendon, in behalf of the Said Town, praying, that, the Orders of this Court pass^d on the Petition of Samuel Comestock, & John Foster, at the Sessions Novr 1719 & May 1721, be reversed, or that the Court would Suspend, any further proceedings, thereon untill the petitioners be heard. Read &

Ordered, That a Hearing be had at the Session of this Court in May Next, The adverse party being Served with a Copy of this petition, & Order thereon, Seasonably (Provided, That the Town of Mendon be at the Charge of a Skilfull Surveyor to go to Mendon, & make a platt of the Township, Conformable to the Return of Joshua Fisher, on the General Courts Grant to Mendon May 15th 1667. and then Confirmed, and That Capt William Ward, be the Surveyour.[1] [*Passed March 21.*

CHAPTER 89.

RESOLVE FOR EMITTING £12,000 IN BILLS OF CREDIT AND PROVIDING SECURITY: PAYMENT IN COMMODITIES.

Legislative Records of the Council, xi., 279.

Resolved, That the Treasurer, be and hereby is directed, to Issue forth and Emit the Sum of Twelve Thousand pounds, in Bills of Credit on this Province, Eight Thousand pounds part thereof was delivr^d to

[1] No close of the parenthesis is given in either copy of the record.

him, by the Committee that made the Said Bills, pursuant to a Resolve, of the General Court at their Session in Augs^t last past, Together with, Four Thousand pounds, Residue thereof which is or will be brought into the Treasury, by Taxes, Duties, of Impost Excise, & the Interest of the Loans, for the Necessary defence, & Support of the Government, & for the Protection and Preservation of the Inhabitants thereof to be used and disposed of as is hereby directed, in Manner Following; Viz^t

Legislative Records of the Council, xi., 265, 268, 271. Province Laws, ii., 236. *Ante*, p. 96, chap. 42; p. 119, chap. 45.

That the Sum of Eight Thousand pounds, part of the aforesaid Twelve Thousand pounds, be and hereby is Appropriated, to and for the Supplying Supporting & paying the Charge of Castle William, and the Other Forts & Garrisons within this Province, as also the Souldiers, with the officers Wages, arising for their Service (Provided the Muster Rolls or any accompts of Charge or Expence on ye Castle Forts, or Garrisons shall not be paid, untill Such Muster Roll, or Accompt of, Charge, or Expence hath been first Examined and allowed of by this Court) according to Such Draughts, as Shall from time to time be made upon him, by Warrant, under the Hand of the Govr, with the advice, & Consent of the Council, and That the aforesaid Eight Thousand pounds be drawn out of the Treasury for the Ends & uses, above appropriated only. That the Sum of Three Thousand & Seven hundred pounds, part of the aforesaid Twelve Thous^d pounds, be and hereby is appropriated to and for the payment of the publick Debts of the Province already contracted, & for payment of all Grants Salarys Stipends, allowances, Bounties & Prœmiums, made & to be made, by this Court (Several of the aforesaid Grants, Stipends, Salaries, & allowances, being already paid out of the Grant of Five Thous^d pounds the last may Session) the Draughts to be made upon the Treasurer, for any part of the aforesaid Sum of Three Thousand & Seven hundred pounds to be by Warrant as above mentioned; and that the aforesaid Sum of Three Thous^d and Seven hundred pounds be drawn out of the Treasury, for ye Ends & Uses above appropriated only.

And, that the Sum of Three Hundred pounds, being the Residue, & remaining part of the Said Sum of Twelve Thous^d pounds, be and hereby is appropriated, for the paym^t of Expresses dispatched in the Service of this Government, together with all other unforeseen, Necessary charges, Whither by Invasion, or otherwise arising in the Recess of this Court that demands prompt payment; Provided Always, that the Several Draughts, made upon the Treasurer as afores^d do Express and declare, out of which appropriated Sum, the Money is to be paid, and the Said Bills Shall pass out of the Treasury at the Value therein Expressed, Equivalent to Money and, shall be so taken and accepted, in all publick paymts.

And, That the duties of Impost and Excise, shall be a fund, & Security, for the Repayment & Drawing in ye Said Bills into ye Treasury again, So far as that will Reach; And as a further fund & Security for the Same.

It is further

Resolved, That there be and, hereby is Granted unto his Most Excellent Majesty, for the Ends & Uses aforesaid, and for no other Ends & uses whatsoever, a Tax of Six Thousand pounds, to be levied upon Polls & Estates, both real and, Personall within this Province, according to Such Rules and in Such Proportion upon the Several Towns & Districts within the Same, as Shall be agreed on, & Ordered by the Great and General Assembly of this Province, at their Session in May One Thousand Seven hundred & Thirty Two, and paid into the Treasury on or before the last day of December next after and That the Further Sum of Six Thousand pounds, being the, Remainder, of the aforesaid Twelve Thousand pounds be Levied upon Polls & Estates,

both Reall & Personall within this Province, according to Such Rules & in Such proportions upon the Several Towns, & Districts within the Same, as Shall be agreed & Ordered by the Great & Generall Assembly, of this Province at their Session In May One Thousand Seven hundred and Thirty Three, and paid into the Treasury on or before the last day of December next after; And, Whereas, through the Scarcity of Bills, it Grows difficult for persons to Convert the produce of their Lands into Bills & pay their Rates in them;

It is further

Ordered that the Inhabitants of this Province shall have Liberty (if they See fitt) to pay the Several Sums, that shall on them be Respectively Assessed, in the Several Species hereafter mentioned, at Such Moderate Rates, & Prices as the Great, & General Assembly shall Sett them, Viz^t in Good Barrell Beef, & Pork, Wheat, Barley, Rye, Indian Corn, Pease, Oats, Flax, Hemp, Beeswax, Butter in Firkins, Cheese, Hides, Tann^d Leather, Dry fish, Mackrell in Blls: Oyl, Whale Bone, Bayberry Wax, Tallow Pitch, Tar, & Turpentine, which, Species, shall be recieved, by the Treasurer, of the Severall, Constables or Collectors, and by him disposed of to the Best advantage, for the Calling in of the Said Bills into the Treasury again and if any Loss shall happen by the Sale of the aforesaid Species, or by any other Unforeseen Accident shall Arise, Then Such deficiency shall be made Good by a Tax of the Year Next following, So as fully & Effectually to Call in the Whole Sum, of Bills Emitted. [*Passed March 22.*

CHAPTER 90.

RESOLVE ALLOWING £1. 10 TO MR JOSEPH STEBBINS.

Legislative Records of the Council, xi., 282.

Ante, p. 93, chap. 37.

Resolved, that there be allowed and paid out of the publick Treasury the Sum of one pounds[1] & Ten Shillings, to Mr Joseph Stebbins for his Trouble & Expence In Receiving the Two hundr^d pounds, that were left in the Hands of Mr Pitkin of Connecticut, & paying the Same into the Treasury. [*Passed March 22.*

CHAPTER 91.

RESOLVE ALLOWING £8. 8 TO COLL^O JON^A TYNG.

Legislative Records of the Council, xi., 282.

AN ACCOMPT presented, by Coll^o Jon^a Tyng of the Subsistence of Sixteen men, (Impressed in his Majesties Service Eastward) Ten days in September last, amo^t to £8. 8/.

[Read and]

Resolved

That the Sum of Eight pounds & Eight Shillings, be allowed & paid out of the publick Treasury, to Coll^o Jon^a Tyng in full, Discharge, of the Within Accompt. [*Passed March 22.*

[1] *Sic.*

CHAPTER 92.

RESOLVE ALLOWING £24 TO COLL° JOHN WHEELWRIGHT.

AN ACCOMPT presented by Coll° John Wheelwright of Subsisting Souldiers in his Majesties Service Eastward from July 25th to Novr 14th 1721. Together with Expresses &ca

Legislative Records of the Council, xi., 282.

[Read and]

Resolved, That the Sum of Twenty Four pounds, be allowed and paid out of the publick Treasury, to Coll° John Wheelwright, in full discharge of this Accompt. [*Passed March 22.*

CHAPTER 93.

RESOLVE ALLOWING £14. 19. 6 TO COLL° SAMLL BROWN.

AN ACCOMPT, Presented by Coll° Samuel Brown of Subsisting Soldiers, Impressed in the Service Eastward, Amot to the Sum of £14. 19. 6.

Legislative Records of the Council, xi., 283.

[Read and]

Resolvd

That the Sum of Fourteen pounds, Nineteen Shillings & Six pence, be allowed & paid out of the publick Treasury to Coll° Samuel Brown to discharge the Within accompt. [*Passed March 22.*

CHAPTER 94.

RESOLVE ALLOWING £4. 12 TO COLL° JOHN APPLETON.

AN ACCOMPT presented by Coll° John Appleton of Subsisting Soldiers (Impressed in his Majesties Service, Eastward,) In Septr Last, amot to, £6. 2. 6.

Legislative Records of the Council, xi., 283.

[Read and]

Resolvd That the Sum of Four pounds and Twelve Shillings, be allowed & paid out of the publick Treasury, to John Appleton Esqr in full discharge of the Within accompt. [*Passed March 22.*

CHAPTER 95.

ORDER ON MR DANIEL RUSSELLS MEMORIAL FOR LIGHT HOUSE SUPPLIES.

A MEMORIAL of Daniel Russells, Commissr of the Impost, Shewing that the Keeper of the Light House hath applied to him for a New Suit of Sails for his Boat, & a Cable to, Moor her, The old ones being Worn out, & praying the Courts direction thereupon.

Legislative Records of the Council, xi., 283.

[Read and]

Ordered, That Mr William Clark, with Mr Daniel Russell, Commissr of The Impost, be desired to Supply the same. [*Passed March 22.*

CHAPTER 96.

VOTE ACCEPTING THE COMMITTEES REPORT ON THE AFFAIR OF MONS^R CASTEEN.

Legislative Records of the Council, xi., 283.

Legislative Records of the Council, xi., 242, 243, 258, 268, 269, 274. Executive Records of the Council, vii., 217.

THE COMMITTEE for Considering the affair of Monsr Casteen, having Sent for him, he acknowledged that he had Given Just Occasion, (by his appearing at Arowsick with the Penobscot Indians,) to the Government to Send for him, But at the Same time he Solemnly declared, that his Design, In Com^g from Penobscot with the Indians of that Tribe, was to prevent the Committing any outrage Or Disorder, and that he So declared to the Jesuit & Indians before he went away, and that at Arowsick he behaved himself peaceably, & with affection to the English,

Declaring also, that he has well behaved himself to the English Trading in those parts, and that he was the person that Recieved the present of this Government, to that Tribe, Two Years Since and, wrote the Letter of Thanks; by which, & a Letter Rec^d by the Govr referring to, the Said Casteen it is to be hoped, That He is well attached to the English, & may Use his Interest & Influence with the Indians to the Advantage of this Government & the Said Casteen humbly desires that he may have Leave to Go home, Proposing to Send back by the Vessell that Carries him a Good Hostage in his Room, & Give his Solemn Oath & Promise to behave himself on all occasions, & in all Respects, Faithfully to the English.

The Committee are of opinion, That the S^d Monsr Casteen be allowed to Go home upon his Parole & Promise to Use his utmost Endeavours to Send one in his Room, and Either return himself in the Fall of the Year, or in Case he should be Gone to France, then to Send his Brother, and at all times to Carry it faithfully, & peaceably, and also to advise & Influence the Tribe to behave themselves well & Friendly to the English.

By Order of the Committee. THO^S FITCH

Read & Accepted. [*Passed March 22.*

CHAPTER 97.

VOTE ON NATH^L GLOVER & NATH^L BREWERS PETITION CONSTRUING A RESOLVE OF THE COURT.

Legislative Records of the Council, xi., 285.

Ante, p. 133, chap. 85.

A PETITION of Nathl Glover & Nathl Brewer in behalf of the Proprietors of Dorchester, praying that the Court would Reconsider their Vote pass^d on the petition of John Billing & others, for as much as the Courts Styling the S^d John Billing &c^a Proprietors of the Town of Dorchester may be Interpreted as a detirmination of the right of Propriety, and that the Same is Vested in the Said John Billing &c^a.

In the House of Representatives Read &

Voted, That it is not Intended by any Words in the Resolve pass^d the Sixteenth Instant, that they should Operate or be Construed any ways to affect the right of Propriety in Either Party, But that this right should be left open to be determined by the Common Law. In Council Read & Concurred, &

Order^d

That the allowance to the Committee, Viz^t Seven pounds and their Charge be born by the Town, of Dorchester, The allowance be paid to to John Cushing Esqr for the Use of the Committee and the money Ex-

pended at Dorchester, & the George Tavern be paid to Coll° Spurr to defrey the Charges. In the House of Representatives Read & Concurred. [*Passed March 23.*

CHAPTER 98.

ORDER ON THE PETITION OF THE SELECT MEN OF SHERBURNE FOR THE LAST YEAR, COMPLAINING OF A TOWN MEETING AS DISORDERLY.

Legislative Records of the Council, xi., 286.

A petition of Samuel Bullard & others Select men for the town of Sherburne in the Year 1721, Shewing that at a Town, meeting held at the Said Town the Twelfth Instant for the Choice of Town officers, Divers Persons Unqualified, Voted at the Said Meeting though forbidden by the Petitioners, So that the Choice, of a Moderator, Could not be Clearly attested, That John Goulding Said to be Chosen moderator, took the place of Such, and In the Choice, of officers, allowed Persons unqualified to Vote, & Some to put in more Votes than one at one Choice, & when the petitioners moved that the Laws might be observed in the management of the Said Meeting, The Said Goulding declared he Should have no regard to the Law, but should keep to the Old Custom, and praying to be relieved from the Mischeifs & Inconveniencies, arising from the Said Disorderly meeting & Election of officers.

The Petitioners &, the Moderator, having been heard, & the matters of Fact having been fully proved,

Ordered, That a Town Meeting of the Freeholders & other Inhabitants of the Town of Sherburne, Qualified by Law be held there on the First monday of April Next for the Choice of Town officers, for the Year Ensuing, and That Francis Fulham Esqr be desired to be present at the Said Meeting, and to take Care, that the Said meeting be Orderly managed, and That No other person be allowed to Vote there but Such as are Qualified, by Law; The proceedings & Elections of a Meeting of the Said Inhabitants, on the Twelfth Instant, being hereby Superseded & declared Void. [*Passed March 23.*

CHAPTER 99.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP GEORGE JOHN STRATTON M^R.

Legislative Records of the Council, xi., 286.

A Muster Roll of the Sloop George a Transport in his Majesties Service Eastward, under the Command of John Stratton, Containing an accompt of the Wages due to the Said John Stratton, & Company, and the Hire of the S^d Sloop from Septr 21st 1721 to March 7th 1721 amo^t to the Sum of one hundred Fifty Seven pounds & Ten Shillings.

[Read and]

Resolved, That The Sum of one hundred & Fifty Seven pounds Ten Shillings be allowed & paid out of the publick Treasury, to Capt John Stratton in full of the Within Acco^t. [*Passed March 23.*

CHAPTER 100.

RESOLVE ALLOWING £1. 10. 6 TO JOHN PRITCHARD.

Legislative Records of the Council, xi., 287.

AN ACCOMPT of John Pritchard of the Ferryage of Soldiers from Black Point to Casco in the Year 1719, Amo^t^ to the Sum of £1. 10. 7.

[Read and]

Resolved, That the Sum of One pound Ten Shillings & Sixpence be allowed and paid out of the publick Treasury to John Pritchard, to discharge the Within Acco^t^. [*Passed March 23.*

CHAPTER 101.

RESOLVE ALLOWING 9/ TO JOHN SAWYER.

Legislative Records of the Council, xi., 287.

AN ACCOP^T^ of John Sawyer of Ferrying Soldiers over Casco River,

[Read and]

Resolved, That Nine shillings be allow^d^ & paid out of the publk; Treasury, to John Sawyer in full of the within Accop^t^. [*Passed March 23.*

CHAPTER 102.

RESOLVE ALLOWING PAYMENT OF CAP^T^ SAM^LL^ MOODEYS MUSTER ROLL.

Legislative Records of the Council, xi., 287.

A MUSTER ROLL of the Company in his Majesties Service Eastward, under the Command of Capt Samuel Moodey Containing an account of Wages due to the S^d^ Samuel Moodey & Company for the^r^ Service from the 2^d^ of January 1720, to the 17th of Decr 1721, Amo^t^ to the Sum of £1,322. 15. 8.

[Read and]

Resolved, That the Sum of one Thousand three hundred Twenty Two pounds, fifteen Shillings & Eight pence be allowed and paid out of the publick Treasury; to Capt Samuel Moodey & the Company under his Command to discharge the Said Muster-Roll. [*Passed March 23.*

CHAPTER 103.

RESOLVE ALLOWING £4 TO JOSEPH BANE.

Legislative Records of the Council, xi., 287.

AN ACCOMPT presented by Joseph Bane of a Journey, to Give notice to the Indians of the Coming of the Commissioners & his attendance on the Said Commissioners.

[Read and]

Resolved,

That the Sum of Four pounds be allowed & paid out of the publick Treasury to Joseph Bane in full of the Said accompt. [*Passed March 23.*

CHAPTER 104.

RESOLVE ALLOWING £11. 14. 1 TO NICHOLAS BOON.

AN ACCOMPT presented by Nicholas Boon of printing the Votes of the Representatives & paper &c^a delivered to the Clerk amo^t to, £13. 7. 1.

Legislative Records of the Council, xi., 287.

[Read and]

Resolved, That the Sum of Eleven pounds Fourteen Shillings & 1^d be allowed & paid out of the publick Treasury In full discharge of the Said Accompt. [*Passed March 23.*

CHAPTER 105.

RESOLVE ALLOWING £4. 10 TO DOMINICUS JORDAN.

AN ACCOMPT presented by Dominicus Jordan of his time & Expence in Going Express from, Casco to, Salem & from Casco to Piscataqua, by Order of the Government.

Legislative Records of the Council, xi., 287.

[Read and]

Resolved That the Sum of Four pounds & Ten Shillings be allowed and paid out of the publick Treasury to Dominicus Jordan, in full to discharge his Accompt. [*Passed March 23.*

CHAPTER 106.

RESOLVE ALLOWING £9. 5 TO CAP^T JOHN GRAY.

AN ACCOMPT presented by Capt John Gray of Disbursme^ts at Fort Mary, at Winter Harbour, and the Garrison there Amo^t to the Sum of £9. 5/.

Legislative Records of the Council, xi., 288.

[Read and]

Resolved,

That the Sum of Nine pounds & Five Shillings be allowed & paid out of the publick Treasury to Capt John Gray to discharge the S^d Accompt. [*Passed March 23.*

CHAPTER 107.

RESOLVE ALLOWING £2 TO MESS^RS TAYLOUR & TEMPLE.

AN ACCOMPT presented by Messrs Taylour & Temple of their Expence in attending the House of Representatives by their Order Amo^t to, £3. 18/.

Legislative Records of the Council, xi., 288.

[Read and]

Resolved

That the Sum of Forty Shillings, be allowed & paid out of the publick Treasury, to Messrs Taylour & Temple, to discharge the Said accompt. [*Passed March 23.*

CHAPTER 108.

RESOLVE AGS^T TAK^G MONEY &c^A TO DISCHARGE SOLDIERS.

Legislative Records of the Council, xi., 288.

Province Laws, i., 531, chap. 7: 542. *Infra*, chap. 109.

Resolved, That the Taking of Money Bills or Blanks, or any other Fee, Gratuity or reward whatsoever, of any Soldier for Releasing Or Exchanging them is an Illegal practice, Very much to the dishonour of the Government & hurt of the Service, and that all Bills or Blanks, that have been taken on any Such Account, on any muster Rolls yet to be pass^d and allowed, be and hereby are declared Null & Void. [*Passed March 23.*

CHAPTER 109.

VOTE ACCEPTING THE COMMITTEE'S REPORT ABOUT THE COMPLAINTS AGAINST THE OFFICERS.

Legislative Records of the Council, xi., 288.

Legislative Records of the Council, xi., 269, 275, 277. *Supra*, chap. 108.

THE COMMITTEE having perused, the Several Affidavits ags^t Coll: Edmund Goffe Cp^t Johnson Harman & Lieu^t Goddard are of opinion, that they Contrary to all Reason, & Justice have procured from Several Soldiers Blanks for their discharge by them, which Blanks the Committee finds Entitles the possessors to their pay, after the Muster Rolls are Lodged in the Treasurers office, and the Commissarys Acco^t of Slops are deducted out of the Same, and that Capt Johnson Harman hath received of Phillip Amy Six pounds in Money, & of David Burnham, a Gun of Three pounds & of James Emery a Gun & Blankett Value Fifty Shillings, to discharge them from the Service, & that Lieu^t Goddard recieved of Daniel Hastings, Forty shillings to discharge him from the Service, and that Lieu^t Goddards Company have not had their allowance, of Mollosses, although the Committee, find by the Commissarys Accompt, That on the Fourth of January there was then in Store more than their full allowance, one hundred & Twenty Seven Quarts, and the Committee are further of opinion; that the Souldiers that Signed Blanks shall be Entituled to their full pay, after the Muster Rolls are Lodged in the Treasurers office, Notwithstanding the Blanks Signed by them, to their officers, & that the officers return the Money Guns, &c^a received, by them or their Orders to the Souldiers, from whom they Reciev^d the Same, for What they are Valued at, and that Such Soldiers are & shall be discharged, from all Prosecutions as Deserters from their Respective officers, and that Lieu^t Goddards pay be Stopped in the Treasurers office, till he hath made Good, what Mollosses hath been kept back from his Company, and are further of opinion that the officers be at the Charge of the Hearing before the Court, and for any thing further the Committee Leaves it to the Consideration of the House, By Order of the Committee NATH^L KNOLTON.

Read & Accepted. [*Passed March 23.*

CHAPTER 110.

VOTE FOR THE DISPOSITION OF THE EASTERN FORCES: PRESENT TO COLL° BOMAZEEN.

Ordered, That the Forces, Viz^t the Two hundred men, already out in the Eastern Parts, be there Continued, and disposed in the most Suitable places, for the defence of those Eastern, parts, untill the Session of this Court in May next, and, that Whereas Coll° Bomazeen, hath lately Given Proof of his Fidelity to the British Crown, under which he holds Commission, and has not been drawn into those Vile Acts of Hostility & Insults against the English as the Indians of Norridgewock, &c^a have done.

Legislative Records of the Council, xi., 289.

Ante, p. 125, chap. 63. *Infra*, chap. 111.

Resolved, That a Suitable present not Exceeding Thirty pounds, from this Government, be sent to him, in Cloathing Suitable to his Commission, & Provision for himself & Familys with Assurance of the like Favour to as many of his Tribe, as Shall Give Good Testimony of their Friendship to the English Subjects of this Government as also Suitable protection, agreeable to their Just Services at all times. [*Passed March 24.*

CHAPTER 111.

VOTE DESIRING MR W^M CLARKE TO PROCURE THE PRESENT FOR COLL° BOMAZEEN.

Voted, That Mr Wm Clark, be desired to procure the Present for Coll° Bomazeen and, that he Take his Exellencys direction for, the Sending it. [*Passed March 24.*

Legislative Records of the Council, xi., 290.

Supra, chap. 110.

CHAPTER 112.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAP^T STEPHEN RICHARDSON & COMP^Y.

A MUSTER ROLL of the Company under the Comm^d of Capt Stephen Richardson, being in his Majesties Service in the Eastward Parts, Containing an Accop^t of Wages, due to the Said Stephen, Richardson, & Company, for their Service, from March 27th 1721 to Jany 8th 1721, Amo^t to the Sum of £562. 2. 6.

Legislative Records of the Council, xi., 290.

[Read and]

Resolved, that the Sum of Five Hundred, Thirty one pounds Fifteen Shillings & Nine pence, be allowed & paid out of the publick Treasury to the officers & Soldiers, Named in this Muster Roll. [*Passed March 24.*

CHAPTER 113.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT FORT MARY CAP^T JOHN GRAY.

Legislative Records of the Council, xi., 291.

A MUSTER, ROLL of the Garrison of his Majesties Fort Mary, at Winter Harbour under the Comm^d of Capt John Gray, Containing an Accompt of Wages due to them for their Service from July 22^d 1720, to March 1st 1721, amo^t to £263. 12. 4.

[Read and]

Resolved, that the Sum of Two hundred & Sixty three Pounds Twelve Shillings & 4^d, be allowed & paid out of the publick Treasury to discharge the Wages due to the officers & Soldiers, as appear to be due to each Man by the Roll, and that the Further Sum of Sixty three pounds be allowed & paid out of the publick Treasury to Samuel Jordan Interpreter. [*Passed March 24.*

CHAPTER 114.

RESOLVE REFERR^G TO MUSTER ROLL & COMMISARYS STORES &c^A.

Legislative Records of the Council, xi., 291.

Resolved, That all the Muster Rolls for the payment of the officers & Soldiers Employed in his Majesties Service in the defence of this his Majesties Province, shall for the future be brought in Twice in the Year, Viz^t Once in the Second Week in the May Session, & in the Second Week in the fall Sessions, and that for the future, The Treasurer be directed and Ordered, Not to pay money out of the Treasury unto, any officer or Soldier in any Muster, Rolls, upon any Blank Order, but upon an Order drawn in Form, & Signed by the S^d officer or Soldier, for his Wages or So much thereof as Shall be particularly Specified in Said Order, and The Treasurer is Ordered & directed to furnish Each Commissary in the Respective Forts & Garrisons, with all Necessary Supplies of Shoes Cloathing &c^a, for the Soldiers, and shall Send to the Commissary an Invoice or Bill of pell^s of the prime Cost in Boston, and Each Commissary shall make out A Duplicate Bill, as Recieved from the Treasurer, Which Commissary shall Post up Said Bill in Some publick place.

That all the Souldiers, may See it, That So they may not be decieved, but have the Goods at the Prime Cost in Boston, and, that the Commissary shall not trust any Servants above Twelve pence p^r Week. [*Passed March 24.*

CHAPTER 115.

ORDER GRANTING THO^S BAKERS PETITION IN REGARD TO AN EXPRESS TO CANADA.

Legislative Records of the Council, xi., 292.

A PETITION of Thos Baker, Setting forth that he is informed, That a Motion, has been made for Sending an Express to Canada, And That Christian Baker his Wife having Two Children, and other Friends & Relations there, has Some Good, prospect of perswading them to return to their Countrey & Religion, and praying that the S^d Christian

Baker may be permitted to Go to, Canada with the Messenger for the designs aforesaid, if the Government See meet to Send thither.

Read and,

Ordered, That the prayer of this petition be Granted. [*Passed March 24.*

CHAPTER 116.

VOTE ACCEPTING THE REPORT OF RUNNING THE LINES ON THE GORE NEAR SWANZEY.

Legislative Records of the Council, xi., 292.

Ante, p. 68, chap. 152.

COLL° THAXTER from the Committee for running the Lines of the Gore of Land in Swanzey, Gave in a platt thereof, and therewith the Following Report, Viz^t. In Obedience to the Order of the Great & General Court at their Session, in March 1720, referring to the petition of William Salisbury, for running the Original Lines of Taunton, Rehoboth, Taunton North & South Purchases, Wee the Subscribers, having Notified The Towns Concerned, mett at Taunton, the 19th day of Febr^y 1721, & having perused, the Records of the Several lines, that Join upon the Gore of Land, mentioned in the petition Wee find, that the Lines, of the Several Grants, are to run as they are Set forth, in the Figure hereunto Annexed.

Viz^t The Line between Dighton & Swanzey is West by north and the Line between Dighton & the Gore, runs North by East, The Line between Norton & the Gore runs West, as To Taunton and Rehoboth, Lines, Wee have Sett them, forth in the figure, herewith as they were Anciently run and Marked, the Gore of Land which Contains Two Thousand, Six hundred & Forty Acres, The Lines of Dighton being run by a True Meridian.

(Signed) SAM^LL THAXTER,
WILLIAM THROOP

Read & Accepted, The property of the Lands Contained in this platt not to be altered, or detirmined hereby. [*Passed March 24.*

CHAPTER 117.

RESOLVE ALLOWING £9. 7. 8 TO CAP^T SAM^LL MOODEY.

Legislative Records of the Council, xi., 293.

AN ACCOMPT of disbursments for the Service Eastward, presented by Cp^t Samuel Moodey amo^t to the Sum of Seventeen pounds Eleven Shillings;

[Read and]

Resolved, That the Sum of Nine pounds, Seven Shillings and Eight pence be allowed & paid out of the publick Treasury to Capt Sam^ll Moodey, in full discharge of the Within Accompt. [*Passed March 27.*

CHAPTER 118.

RESOLVE ALLOWING £5. 14. 6 TO CAP^T FRANCIS BARKER.

Legislative Records of the Council, xi., 293.

AN ACCOMPT presented by Capt Francis Barker,[1] of disbursments for his Majesties Service, Eastward, Amo^t to the Sum of £5. 14. 6.

Read &

Resolved, That the Sum of Five pounds, Fourteen Shillings, & Six pence be allowed, & paid out of the publick Treasury to discharge the S^d Accompt. [*Passed March 27.*

CHAPTER 119.

RESOLVE ALLOWING PAYMENT OF THE MUSTER, ROLL OF THE GARRISON AT CASTLE WILLIAM.

Legislative Records of the Council, xi., 293.

A MUSTER ROLL of the Garrison at his Majesties Castle William, under the Comm^d of the Honb^le William Dummer Esqr Containing an Accompt of Wages due to them, for their Service, from June 30th, to March 1st 1721, Amo^t to, the Sum of £463. 14. 7.

[Read and]

Resolved, That the Sum of Four hundred, Sixty three pounds, Fourteen Shillings & Seven pence be allowed, and paid out of the publick Treasury, to the officers & Souldiers, Contained in this Muster Roll in full discharge of their Wages. [*Passed March 27.*

CHAPTER 120.

RESOLVE ALLOWING PAYMENT OF THE ACCOMPT OF VICTUALLING THE GARRISON AT CASTLE WILL^M.

Legislative Records of the Council, xi., 293.

Legislative Records of the Council, xi., 293. Executive Records of the Council, vii., 346.

AN ACCOMPT of Victualling the Garrison at his Majest^s Castle, William from June 30th 1721, To March 1st 1721, and for Subsisting the Indian Hostages, Monsr Casteen, Soldiers Impressed in his Majesties Service, &c^a amo^t to the Sum of £390. 11. 1.

[Read and]

Resolved, That the Sum of Three hundred & Ninety pounds Eleven Shillings & 1^d be allowed, & paid out of the publick Treasury, to the Executors of Cp^t Zechariah Tuthill in full discharge of the Said Accompt, The Said Executors allowing & paying to the Treasurer, what Money, have been advanced, & paid, Capt Tuthill in his life time. [*Passed March 27.*

CHAPTER 121.

RESOLVE ALLOWING £33. 3 TO CAP^T JOHNSON HARMAN.

Legislative Records of the Council, xi., 294.

AN ACCOMPT presented by Capt Johnson Harman, of disbursments, for his Majesties Service Eastward, Amo^t to the Sum of £33. 3 .

[Read and]

[1] "Baker" in the text; "Barker" elsewhere. See *post*, p. 150, chap. 133, and p. 502, chap. 201.

Resolved, That the, Sum of Thirty three pounds, & three Shillings, be allowed, & paid out of the publick Treasury, to Capt Johnson Harman, to discharge the within accompt. [*Passed March 27.*

CHAPTER 122.

RESOLVE ALLOWING £3. 8 TO CAPT STEPHEN RICHARDSON.

An Accompt of disbursments for his Majesties Service Eastward, presented, by Capt Stephen Richardson, amot to the Sum of £3. 8/. Legislative Records of the Council, xi., 294.

[Read and]

Resolved, That the Sum of Three pounds & Eight Shillings be allowed, & paid out of the publick Treasury to Capt Stephen Richardson to discharge the within Accompt. [*Passed March 27.*

CHAPTER 123.

RESOLVE ALLOWING £13. 5 TO SAMLL GOOKIN.

An Accompt, presented, by Samuel Gookin Junr of a Guard upon the Indian Hostages, from Novr 9th to, Decr 5th 1721, with Fire Wood & Candles. Legislative Records of the Council, xi., 294.

[Read and]

Resolved That the Sum of Thirteen pounds, Five, Shillings, be allowed & paid, out of the publick Treasury to Mr Samuel Gookin Jr in full, of the, Within Accompt. [*Passed March 27.*

CHAPTER 124.

RESOLVE ALLOWING PAYMENT OF COLLO SAMLL THAXTER & COLLO EDMUND GOFFES MUSTER ROLL.

A Muster, Roll of the, Company in his Majesties Service, under the Command of Collo Samll Thaxter and afterwards of Collo Edmd Goffe, Containing an accompt of Wages due to the Sd Samuel Thaxter, & Edmd Goffe & Company for their Service, from, the Twenty Seventh of July, to the Twenty Seventh of Febry 1721, Amot to the Sum of £995. 13. 1. Legislative Records of the Council, xi., 294.

In the House of Representatives,

[Read and]

Resolved That the Sum of Nine hundred and Ninety Five pounds Thirteen Shillings & one penny be allowed, & paid out of the publick Treasury, to the Officers, & Soldiers Contained in this Muster, Roll in full discharge of their, Wages. In Council, Read & Concurrd Excepting the Sum of Seven pounds Fifteen Shillings, allowd Collo Thaxter, as Captain & the Sum of Forty Five pounds Fifteen Shillings allowed, Lt Collo Goffe as Captain, The allowance of Collo & Captain, never having been made at the Same time to one & the Same person; In the, House of Representatives. Read, & Concurred. [*Passed March 27.*

CHAPTER 125.

ORDER IMPOWERING MATTHEW PERKINS TO SELL LAND.

Legislative Records of the Council, xi., 294.

A PETITION of Matthew Perkins of Ipswich, Shewing, that he has been put to Extrodinary Charge in the Sickness & Funeral of his Wife, which has brought upon him Such debts as he is unable to pay, and, praying that this Court Would Give him power to Sell Twelve or Thirteen Acres of Land, which Came to him by his S^d^ Deceased, Wife.

Read &

Ordered, That the prayer of the petition, be Granted and that the petitioner have Liberty to bring in a Bill accordingly. [*Passed March 27.*

CHAPTER 126.

RESOLVE ON QUESTION ABOUT GUNPOWDER.

Legislative Records of the Council, xi., 295.

Province Laws, i., 588, chap. 4; 601.

QUESTION, Whither, in the Act Entituled an Act, for Erecting a Powder House in the Town of Boston, made in the Fifth Year of Queen Ann The Saving therein Mentioned doth not Intend, all the Gun Powder belonging to the Province,

Resolved in the affirmative, & that it ought to be Understood of all, Powder Removed by Order of the Govenour, & Council for the Province Service. [*Passed March 27.*

CHAPTER 127.

RESOLVE ALLOWING £5. 17. 9 TO ROBERT FORRESTER.

Legislative Records of the Council, xi., 295.

AN ACCOMPT presented, by, Robert Forrester of Work done by him at the Govenours House, Ending March 14th 1721 Amo^t^ to, the, Sum of £5. 17. 9.

[Read and]

Resolved, That the Sum of Five pounds Seventeen Shillings & 9^d^ be allowed & paid out of the publick Treasury to Robert Forrester the Accomptant, in full discharge of the S^d^ Accompt. [*Passed March 27.*

CHAPTER 128.

RESOLVE ON THE TREASURERS DISBURSMENTS, DISCHARGING THE TREASURER.

Legislative Records of the Council, xi., 295.

AN ACCOMPT presented by Jeremiah Allen Esqr Treasurer of disbursments for provisions & other Necessarys for The forces Eastward, and other Incidental Charges for his Majesties Service, from Novr 6th to March 1st 1721, Amo^t^ to the Sum of £1,492. 5. 4.

[Read and]

Resolved, That the Sum of One Thousand Four hundred & Ninety Two pounds Five Shillings & Four pence be allowed & paid out of the publick Treasury, to Jeremiah Allen, Esqr to, Discharge the S^d^ Accompt. [*Passed March 27.*

CHAPTER 129.

RESOLVE ALLOWING PAYMENT OF CAPT JOHNSON HARMANS MUSTER ROLL.

A MUSTER, ROLL of the Company in his Majesties Service Eastward, under the Command of Capt Johnson Harman, Containing an Account of Wages due to them for their Service, from July, 27th to Febry 28th 1721, Amot to the Sum of £876. 13.

Legislative Records of the Council, xi., 295.

[Read and]

Resolved

That the Sum of Eight hundred & Fifty Nine pounds Four Shillings & Five pence, be allowed, & paid out of the publick Treasury, to the officers & Soldiers Contained in this Muster Roll, in full, discharge of their Wages. [*Passed March 27.*

CHAPTER 130.

RESOLVE ALLOWING £2. 11 TO JOHN FLAGG.

AN ACCOMPT Presented, by John, Flagg, of his Expence in Horse Hire, &ca in attending the Court, at their present Session Amot to the Sum of £2. 11/.

Legislative Records of the Council, xi., 296.

[Read and]

Resolved That the Sum of Two pounds & Eleven Shillings be allowed, & paid out of the publick Treasury to John Flagg, Doorkeeper to Discharge the Sd Accompt. [*Passed March 27.*

CHAPTER 131.

RESOLVE ALLOWING £4. 19. 3 TO CHARLES CHAMBERS ESQR.

AN ACCOMPT presented by Charles Chambers Esqr, for Sundrys, Supplied Collo Goffe for Repairing the Prison at Cambridge, Amot to the Sum of £9. 18. 6.

Legislative Records of the Council, xi., 296.

[Read and]

Ante, p. 122, chap. 54.

Resolved, That the Sum of Four pounds, Nineteen Shillings & Three pence be allowed,[1] & paid out of the publick Treasury, to, Charles Chambers Esqr to discharge the Province part of the Said Accot. [*Passed March 27.*

CHAPTER 132.

RESOLVE ALLOWING £16. 19. 2 TO BENJA ELIOT.

AN ACCOMPT presented, By Benja Eliot of paper Books &ca Supplied the Secrys office, from Jany 23d 1721, to Novr 8th 1721, Amot to, £16. 19. 2.

Legislative Records of the Council, xi., 296.

[Read and]

Resolvd

That the Sum of Sixteen pounds Nineteen Shillings & Two pence be allowed & paid out of the publick Treasury to Benja Eliot in full discharge of the above Accompt. [*Passed March 27.*

[1] The word "allowed" is underlined; also, in the State Library copy, Legislative Records of the Council, xi., 290, the "&" following.

CHAPTER 133.

RESOLVE ALLOWING PAYMENT ON CAP[T] FRANCIS BARKERS MUSTER ROLL.

Legislative Records of the Council, xi., 296.

A MUSTER ROLL of the Company in his Majesties Service, Eastward under the Command, of Cap[t] Francis Barker, Containing an Account of Wages due to them for their Service from July 28th 1721, To Febr[y] 28th 1721.

Amo[t] to £867. 18. 3.

[Read and]

Resolved, That, the Sum of Eight Hundred, & Sixty Four pound Eighteen Shillings & Three pence, be allowed, & paid out of the publick Treasury, to the Officers & Soldiers Contained in this Muster Roll, in full discharge of their Wages. [*Passed March 27.*

CHAPTER 134.

RESOLVE ALLOWING PAYMENT OF CAP[T] JOHN PENHALLOWS MUSTER ROLL.

Legislative Records of the Council, xi., 296.

A MUSTER ROLL of the Company in his Majesties Service, under the Command of Cap[t] John Penhallow Containing an Accompt of Wages due to the Said Company for their Service, from July 28th to, Jan[y] 4th 1721, Amo[t] to the Sum of £533. 2. 9.

[Read and]

Resolved That the Sum of Five hundred, Thirty, three pounds Two Shillings & nine pence be allowed & paid out of the publick Treasury to the within officers & Soldiers to discharge their Wages as per the Within Account. [*Passed March 27.*

CHAPTER 135.

RESOLVE ALLOWING £20. 2. 11 TO THO[S] THOMPSON.

Legislative Records of the Council, xi., 297.

House Journal, pp. 1, 2.

Resolv[d] That the Sum of Twenty pounds Two Shillings & El[e]ven pence be allowed & paid out of the publick Treasury to M[r] Tho[s] Thomson in full of his Acco[t] of Victuals & Liquor, provided for the Committee his Acco[t] of Charcoal & Bark for the use of the Court, & for the Use of his House, during the time the General Court Sat there. [*Passed March 27.*

CHAPTER 136.

RESOLVE ALLOWING £3. 4 TO JAMES CLARK.

Legislative Records of the Council, xi., 297.

AN ACCOMPT presented By James Clark of his attendance on the General Assembly at their present Session amo[t] to, £3. 4/.

[Read and]

Resolved, That the Sum of Three pounds Four Shillings be allowed & paid out of the publick, Treasury, to James Clark in full of the above accompt. [*Passed March 27.*

CHAPTER 137.

RESOLVE ALLOWING £90 TO Dr GEORGE PEMBERTON.

An Accompt presented by Dr George Pemberton of Medicines Internally & Externally administred to the Sick & Lame of the Garrison at his Majesties Castle William, from June 1st 1721, To Febry 14th 1721, Amot to £90. 17. 10. Legislative Records of the Council, xi., 297.

[Read and]

Resolved that the Sum of Ninety pounds be allowed, & paid out of the publick Treasury to Dr George Pemberton in full discharge of the Within Acco^t. [*Passed March 27.*

CHAPTER 138.

RESOLVE ACCEPTING THE REPORT OF BURNING TORN & DEFACED BILLS OF CREDIT.

In Obedience to; An Order of the Great & General Court at their Session the Seventh of Novr 1721, appointing us the Subscribers A Committee to take an Accompt of Province Bills of Credit. that are Torn & defaced, Wee have Accordingly Recieved of Mr Treasurer Allen, The Several Bills of the Denomination in the Account above, amountg to the Sum of Seven Thousand, Five hundred Eighty Four pounds Seven Shillings & 6d, that were received by the Treasurer of Addington Davenport, Thomas & Edward, Hutchinson Esqrs & Mr John White Trustees for the £50,000 Loan & Caused the Said Seven, Thousand, Five hundred Eighty Four pounds Seven Shillings & Six pence, to be burnt to Ashes, As Witness our hands, this 20th of Decr 1721, Legislative Records of the Council, xi., 297. *Ante*, p. 121, chap. 51.

£7,315. 19. 5 Principall	Elisha Cook,	Thos Hutchinson
268. 8. 1 Interest	Wm Clark	Thos Fitch
	John Rand	John Clark.
£7,584. 7. 6.	Penn Townsend	

Read &

Resolved That the above Report be accepted; and That the Treasurer be Accordingly discharged of the Said Sum of Seven Thousand Five hundred Eighty Four pounds Seven Shillings & Six pence. [*Passed March 27.*

CHAPTER 139.

RESOLVE ALLOWING £51. 10 TO EDWARD WINSLOW.

A Memorial of Edward Winslow Esqr Setting forth Several Services Done by him for the publick with the Accompt thereof, & praying a Suitable allowance to, be made him out of the publick Treasury for ye Same Legislative Records of the Council, xi., 298.

[Read and]

Resolved That, the Sum of Fifty one pounds Ten Shillings be allowed, & paid out of the publick Treasury, to Edward, Winslow Esqr Sherriff in full of all his Service; for the Province to, this day, & in full of the Several Accompts now before the House. [*Passed March 27.*

CHAPTER 140.

RESOLVE ALLOWING £5. 10 TO CAPT DANIEL GOOKIN.

Legislative Records of the Council, xi., 298.

AN ACCOMPT presented, by Cpt Daniel Gookin of the Charge of Curing, Christopher Mudging of a Lame Hand, (the Said Mudging being a Souldier in the Service) Amot to £5. 10.

[Read and]

Resolved; That the Sum of Five pounds & Ten Shillings be allowed & paid out of the publick Treasury, to, Daniel Gookin to discharge this Accompt. [*Passed March 27.*

CHAPTER 141.

RESOLVE FOR STOPPING OFFICERS WAGES.

Legislative Records of the Council, xi., 298.

Ante, p. 142, chap. 109.

Resolved

That there be paid out of the publick Treasury, to Nathl Knolton, (to pay & discharge the accot of the Soldiers time And Expence. in attending the Hearing of the Complaints, agst their officers) The Sum of Sixteen pounds & Six Shillings, & That the Treasurer be directed to Stop the abovesaid Sum out of Collo Edmd Goffes, Capt Johnson Harmans & Lieut John Goddards pay in Equal Proportion, and that he Stop out of Capt Johnson Harmans Pay, for Phillip Amy of Ipswich Six pounds, & for David Burnham of Ipswich, Three pounds & for James Emery, Two pounds Ten Shillings, & out of Lt John Goddards pay, Two pounds for Daniel Hastings, to be paid to Nathl Knolton, for his Use. [*Passed March 27.*

CHAPTER 142.

RESOLVE ALLOWING £20 TO CHRISTIAN BAKER.

Legislative Records of the Council, xi., 299.

Ante, p. 144, chap. 115.

A MEMORIAL of Thomas & Christian Baker, Shewing, the Said Christian, from her Natural affection, to her Children in Captivity at Canada, and in hopes of Recovering them, Designs to Undertake a Journey thither, That She is Encouraged to hope she may be Usefull to perswade many others, in the Hands of the French & Indians to return to their Countrey, & Religion & praying a Suitable allowance for her Support in this affair, to be made to her out, of the publick Treasury.

[Read and]

Resolved, That the Sum of Twenty pounds be allowed & paid out of the publick Treasury to Christian Baker for the reasons Mentioned in her petition. [*Passed March 27.*

RESOLVES, ORDERS, VOTES, ETC.

Passed 1722–23.

LEGISLATIVE LIST[1]

FOR

1722–23.

His Excellency SAMUEL SHUTE [*until December 27, 1722*],

Captain-General and Governor-in-chief, etc.

WILLIAM DUMMER, Lieutenant Governor [*Acting Governor from December 27, 1722*].

JOSIAH WILLARD, Esq.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusets-Bay;

William Tailer	Esqrs.	Thomas Hutchinson	Esqrs.
Samuel Sewall		Samuel Brown	
Penn Townsend		Thomas Fitch	
John Appleton		Edmund Quincy	
Samuel Patridge		Adam Winthrop	
Edward Bromfield		Jonathan Dowse	
Nathaniel Norden		Paul Dudley	
Benjamin Lynde		Samuel Thaxter	
Addington Davenport		John Turner	

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New-Plimouth;

Nathaniel Byfield	Esqrs.	John Cushing	Esqrs.
Isaac Winslow		John Otis	

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Mayne;

John Wheelwright, Joseph Hammond & Charles Frost, Esqrs.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

Spencer Phips, Esq.

[1] See Legislative Records of the Council, xi., 301–303.

For the Province, at large: —

JONATHAN BELCHER & WILLIAM CLARK, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 30, 1722 to April 4, 1723.

MR. JOHN CLARK, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
Elisha Cooke, Esq.,
Mr. William Clark,
Mr. Isaiah Tay.
Roxbury, . . William Dudley, Esq.
Dorchester, . . Col. Robert Spurr.
Milton, . . . Mr. Ephraim Tucker.
Braintry, . . John Quincey, Esq.
Weymouth, . . Mr. Joseph White.
Hingham, . . Capt. Thomas Loring.
Dedham, . . Mr. Joseph Ellis.
Medfield, . . Mr. Henry Adams.
Woodstock, . . John Chanler, Esq.
Mendon, . . . Mr. Thomas Sanford.
Brooklyn, . . Mr. Edward White.

COUNTY OF ESSEX.

Salem, . . . Joseph Wolcot, Esq.
Ipswich, . . . John Wainwright, Esq.,
Mr. Nathaniel Knolton.
Newbury, . . Mr. William Moodey.
Marblehead, . Capt. Nicholas Andrews.
Lynn, . . . Mr. Richard Johnson
Beverly, . . . Mr. Robert Briscoe.
Wenham, . . Mr. William Rogers.
Topsfield, . . Mr. Daniel Clark.
Andover, . . Mr. James Bridges.
Bradford, . . Mr. Jonathan Woodman.
Haverhill, . . Mr. John Saunders.
Boxford, . . . Lieut. Joseph Hale.
Rowley, . . . Mr. Timothy Harris.
Salisbury, . . Mr. Isaac Morrell.
Amesbury, . . Capt. John Foot.
Glocester, . . Mr. Samuel Stevens.

COUNTY OF MIDDLESEX.

Cambridge, . . Jonathan Remington, Esq.
Charlestown, . Charles Chambers, Esq.,
Mr. Ebenezer Austin.
Watertown, . . Mr. Richard Cooledge.
Newton, . . . Mr. Ebenezer Stone.
Sudbury, . . Hopestill Brown, Esq.

COUNTY OF MIDDLESEX — *Concluded.*

Marlboro, . . Capt. William Ward.
Sherburne, . . Mr. John Holbrook.
Lancaster, . . Mr. Jabez Fairbanks.
Framingham, . Joseph Buckminster, Esq.
Groton, . . . Capt. John Shipley.
Concord, . . . Mr. Benjamin Whittemore.
Chelmsford, . Mr. Joseph Underwood.
Billerica, . . Mr. George Brown.
Woburn, . . . Mr. Daniel Peirce.
Reading, . . William Bryant, Esq.
Malden, . . . Mr. Samuel Bucknam.
Lexington, . . Francis Bowman, Esq.
Weston, . . . Francis Fulham.
Dracutt, . . . Major Joseph Varnum.
Medford, . . Mr. John Bradford.
Leicester, . . John Menzies, Esq.

COUNTY OF HAMPSHIRE.

Springfeild, . Luke Hitchcock, Esq.
Northampton, . John Stoddard, Esq.
Hadley, . . . Mr. Experience Porter.
Hatfield, . . . Henry Dwight, Esq.
Westfeild, . . Mr. Thomas Noble.
Brookfield, . . Mr. Joseph Jennings.

COUNTY OF PLIMOUTH.

Plimouth, . . Capt. John Dyer.
Scituate, . . . Mr. James Cushing.
Marshfield, . . Mr. Anthony Eams.
Duxbury, . . Mr. John Wadsworth.
Brigewater, . Mr. Edward Fobes.
Rochester, . . Mr. Thomas Dexter.
Middleboro, . . Mr. Joseph Southworth.
Pembroke, . . Mr. Nehemiah Cushing.

COUNTY OF BRISTOLL.

Bristoll, . . . Mr. Samuel Little.
Taunton, . . Mr. John King.
Dighton, . . . Jared Talbott, Esq.
Swanzey, . . Mr. John Thomas.
Rehoboth, . . Mr. Jathniel Peck.

COUNTY OF BRISTOLL — *Concluded.*

Little Compton, Capt. Sylvester Richmond
Tiverton, . . Mr. Gershom Woodall.
Dartmouth. . . Mr. Daniel Wood.
Freetown, . . Mr. James Gage.

COUNTY OF BARNSTABLE.

Barnstable. . . Shubael Goreham, Esq.
Sandwich, . . Mr. Israel Tupper.
Eastham, . . Mr. Isaac Pepper.
Harwich, . . Mr. Isaac Mayo.
Yarmouth, . . Mr. John Hedge.

COUNTY OF YORK.

York, ... Mr. Samuel Cane.
Kittery, . . . Mr. John Dennett.
Berwick, . . Capt. Humphrey Chadburne.
Falmouth, . . Mr. Dominicus Jordan.

DUKES COUNTY.

Edgar Town, . Mr. Lemuel Little.
Chilmark, . . Ebenezer Allen, Esq.

ISLAND OF NANTUCKET.

Sherburn, . . Mr. Jeremiah Gardner.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE THIRTIETH DAY OF MAY, A.D. 1722.

CHAPTER 1.

ORDER ON SAMASSON DANIELS PETITION FOR SALE OF LAND.

A PETITION of Samanson[1] Daniel (an Indian) of Mashpaug in the County of Barnstable, Shewing that he has been at Considerable Charge in the Law to defend his Title to a Certain Tract of Land, That he was finally Cast and is in Danger of being Imprisoned for his Said Charge, & praying that he may be Enabled to Sell, a Small Point of Piny Upland of about Six Acres, with the Same Quantity of Meadow, adjoining, belonging to, him, In Order to Save himself from Imprisonment; The Said petition being Recommended, by John Otis, & Peter Thatcher Esq^rs Two of his Majesties Justices for the Government of the Indians in the Said County of Barnstable.

Legislative Records of the Council, xi., 305.

House Journal, p. 5.

Read &

Ordered That the Petitioner be Enabled to Sell the Land Mentioned in the petition, with, the advice & assistance, of Peter Thatcher, Esqr & Samuel Sturgis, Esqr who are desired to take Care that the full Value thereof be paid, & to recieve the Consideration Money, which is first to, be applied to the payment of the Debt mentioned in the petition, & the petitioners Other Just debts and the Remainder thereof (if any there be) for the Benefitt of the petitioner & his Family. [*Passed June 1.*

CHAPTER 2.

VOTE ALLOWING THE COUNTY TREASURER OF HAMPSHIRE HIS ACCO^T.

AN ACCOMPT of Joseph Hawley, Treasurer, of the County of Hampshire, for the Year 1721. hav^g been Examined & allowed by the Court of General Sessions of the peace for the Said County.

Legislative Records of the Council, xi., 306.

Read & allowed. [*Passed June 1.*

House Journal, p. 5.

CHAPTER 3.

ORDER FOR APPREHENDING SEVERAL BRIDGEWATER MEN.

PURSUANT to the Order, of the Great & General Court at their Session in Novr 1720 Impowering us the Subscribers to Sell a Certain Tract

Legislative Records of the Council, xi., 308.

[1] "*Soucason*," in the House Journal.

House Journal, p. 7. *Ante*, p. 50, chap. 109; p. 53, chap. 116.

of Land, Lying Near the, Patent Line adjoyning, upon the Town of Dorchester; upon the Eighth day of May last past, Wee together with a Committee, of the Town of Dorchester, went to the Land in Order to make the Line between the Province Land, and the Land of Dorchester, That So wee might the more perfectly know the Quantity of Land, Wee had to dispose of, & begun Our Line Where the Heap of Stones, were Formerly Erected by the Commissioners of both Governments Viz^t Massachusets & Plymouth, Where wee renewed the Ancient Bounds, by Erecting a Heap of Stones, which wee Intended, for the first Boundary, But Ephraim Fobes & Edward & Ephraim Howard[1] Came & told us, That wee had no Buisiness there and that wee had better take up the Compass & be Gone, Wee Answered them, that what wee did was by Order of the General Court, but the Said Edward Howard told us That the Court had Nothing to do with any Land there, Whereupon wee read to them the Court's Order, and then the Said Ephraim Fobes went and Threw off some of the Stones, and Said there should not be any Bounds there; & from thence they, went forward to a Fence, where the Line Went, and there the Said Edward & Ephraim Howard warned us to Stand off upon our Perill, Telling us that wee Came like Robbers, High way men and Rioters, The Said Edward Howard had an Ax in his hand, and the Said Ephraim Howard a Club, wee told them wee must proceed on the Buisiness, wee were Sent for & Coll^o Thaxter, who Carried the Line Stepped forward, with the Compass, to Go over the Fence, in the Course of the Line, But Edward Howard & Daniel Howard laid Violent hands upon him & pushed him-back, So that wee were obstructed and Unless wee would have Come to Violence & Blood Shed wee Could not have gone on with our Buisiness, Therefore wee Pray that this Great & Honb^le Court would be pleased to Consider the before mentioned offence, & Give us further direction in the Premises.

SAM^LL THAXTER.
ROBERT SPURR.
JOHN QUINCY.

Read and

Ordered, That, the Sherriffs of the Countys of Suffolk & Plimouth, or Either of them do forthwith apprehend and, Take into Safe Custody, the Bodies of Ephraim Fobes, Edwd Howard Ephraim Howard & Daniel Howard, if they may be found in their, or Either of their precincts, and have them before this Court, on Thursday the Seventh Instant, or as Soon as may be, to answer to this Complaint, & to do & recieve what this Court shall further Order hereon. [*Passed June 2.*

CHAPTER 4.

VOTE ALLOWING THE ACCOMP^T OF THE COUNTY TREASURER OF YORK.

Legislative Records of the Council, xi., 309.

House Journal, p. 6.

AN ACCOMPT of Abraham Prebble, Esqr Treasurer of the County of York for the Year 1721, Having been Examined & approved of by the Court of General Sessions of the peace, for the Said County.

Read & allowed. [*Passed June 2.*

[1] Forbes and the Howards were Bridgewater men.

CHAPTER 5.

RESOLVE ALLOWING £3. 15 TO ROWLAND DYKE.

An Accompt of Rowland Dyke of his Going Express to the Eastward in March last, to Summon Several officers to attend the General Court, amo^t^ to £8. 15/ of which he recieved £5 from the Secretary.

[Read and]

Resolved;

That, the Sum of Three pounds, & fifteen Shillings be allowed, & paid out of the publick Treasury, to Rowland Dyke in full discharge of the Said Accompt. [*Passed June 2.*

Legislative Records of the Council, xi., 309.

House Journal, p. 6.

Ante, p. 130, chap. 76.

CHAPTER 6.

VOTE ABOUT INOCULATED PERSONS.

Whereas, Several persons lately Inocculated for the Small Pox, are now at Spectacle Island;

Resolved, That the persons So Inocculated shall not Come up to the Town of Boston during this present Session of the General Assembly. without Leave first obtained. [*Passed June 2.*

Legislative Records of the Council, xi., 309.

House Journal, p. 7.

CHAPTER 7.

ORDER ON PETITION OF THE INHABITANTS OF THE SOUTH PART OF WEYMOUTH TO BE SET OFF.

A petition Signed by Edward[1] Vinning, & Thirty Eight other Inhabitants of the Southerly part of Weymouth, Setting forth the Great difficulties, they are under by reason of their Remoteness, & the Badness of the Way, in attending the publick Worship of God there, and therefore praying that, they may be Sett off as a distinct Town or Precinct, and that, the Line of division, may be drawn, Two Miles Northward, from their New Meeting House. Read &

Ordered, That The Town of Weymouth be Served with a Copy of this petition, That they may Give in their Answer to it, on Friday the Eighth Instant, if they have any thing to object, Why the prayer of the petition may not be Granted. [*Passed June 2.*

Legislative Records of the Council, xi., 309.

House Journal, p. 6.

CHAPTER 8.

RESOLVE ALLOWING £20 TO JOHN HAYES.

A petition of John Hayes Keeper of the Light House, on Beacon Island, Setting forth, that he has been put to Extrodinary Expence & Trouble to Give Notice, of the Act obliging Vessells from France, & other places Infected with the plague, to perform Quarentine, and

Legislative Records of the Council, xi., 311.

House Journal, p. 9.

[1] "*John*," in the House Journal.

Province Laws, ii., 228, chap. 3.

praying that his Services may be Considered, and a Suitable allowance made him for the Same. Read &

Resolved; That there be allowed, & paid out of the publick Treasury, to Mr John Hayes Keeper of the Light House the Sum of Twenty pounds, for his Extrodinary Service, Occasioned by the Act, Obliging Vessells, to perform Quarentine. [*Passed June 6.*

CHAPTER 9.

RESOLVE CONFIRMING TITLE TO 500 ACRES OF LAND TO THE HEIRS OF MR JOHN PAYNE.

Legislative Records of the Council, xi., 311.

House Journal, p. 11. *Ante*, p. 41, chap. 87.

A PETITION of Thomas Fayerweather, of Boston, Mercht Shewing, that the General Court, at their Session in Novr 1720 Granted Liberty, to lay out Five hundred Acres of Land (A platt thereof to, be returned to the Court for Confirmation) to be in full Satisfaction to, the Heirs of Mr John Payne for Several Grants of Land to him made, that he hath accordingly Got the Said Five hundred Acres of Land Laid out by a Surveyour, & Chain Men Under Oath, between Deerfield and Northfield, (a platt whereof is herewith Exhibited) and praying Confirmation of the Same.

[Read and]

Resolved, That the within mentioned Five hundred Acres of Land be Confirmed to the Heirs of Mr John Payne, in full of all Claims, & demands, provided, they do not Infringe upon any former Grants. [*Passed June 6.*

CHAPTER 10.

RESOLVE ALLOWING £13. 2. 5 TO EDWARD WINSLOW, HIS ACCOT OF DISBURSMENTS ON YE PROVINCE HOUSE.

Legislative Records of the Council, xi., 312.

House Journal, p. 12.

AN ACCOMPT presented, by Edward Winslow Esqr of Disbursments, on the, Province House Provided for his Exellency the Govr amot to the Sum of Thirteen pounds Two Shillings & Five pence.

[Read and]

Resolved, That the Sum of Thirteen pounds Two Shillings & Five pence be allowed & paid out of the publick Treasury to Edward Winslow, Esqr in full discharge of the Said Accompt. [*Passed June 7.*

CHAPTER 11.

RESOLVE ALLOWING £125 TO DR EBENEZER ALLEN.

Legislative Records of the Council, xi., 312.

House Journal, p. 12.

AN ACCOMPT presented, by Ebenezer Allen; Surgeon, of the Forts Eastward, for Sixty Two Weeks attendance, & medicines at Forty Shillings pr Week, as pr agreement, amot to the Sum of £124. 17. 2.

[Read and]

Resolved, That the Sum of one hundred & Twenty Four pounds, be allowed, & paid out of the publick Treasury, to Doctor Ebenezer Allen, the Accomptant in full discharge of his Accot to the fifteenth day of March 1721. [*Passed June 7.*

CHAPTER 12.

VOTE ACCEPTING JOSEPH PARSONS ESQ^R & HEN^Y DICKINSONS ACCO^T.

An Accompt of Joseph Parsons Esqr & Henry Dickinson, amo^t to Fifteen pounds, So much being put into their Hands, for repairing the High way, between Worcester & Brookfield, of which, Three pounds, being the Overplus, was returned to Mr Treasurer Allen, as p^r his reciept.

Legislative Records of the Council, xi., 312.

House Journal, p. 11.

Read & Accepted. [*Passed June 7.*

CHAPTER 13.

VOTE APPOINTING JOS. BURNAP TO LAY OUT LAND FOR M^R JN^O COBBETS HEIRS.

Legislative Records of the Council, xi., 313.

Voted, That Capt Joseph Burnap, be appointed to lay out, the Land Granted to the Heirs of Mr John Cobbett, in Novr twentieth past,[1] in the Room of Capt John Gardner Dec^d. [*Passed June 7.*

House Journal, p. 13. *Ante*, p. 45, chap. 97.

CHAPTER 14.

ORDER ON COMMITTEES REPORT ABOUT Y^E DEFENCE OF THE COAST AGS^T PYRATES.

William Tailer, Esq^R from the Committee of both Houses Appointed, to Consider what is proper to be done, for defence of the Coast from the Pirates Gave in the following Report; Viz^t In Obedience to the Order of the General Court, The Committee are of opinion, That it would be of Service to the Government, & of Security to the Trade, That a Large Sloop of Seventy or Eighty Tuns, or some other Suitable Vessell, be Immediately Impressed; & Manned with One hundred men & Suitable officers To Command the Same, & to be Equipped with Six Great Guns & a Sufficient Quantity of all Warlike Stores, offensive & defensive with provisions Suitable, for the Said Number of Men, for one Month, & to Cruize between the Capes or Elsewhere, where the Captain General Shall See Cause, to direct, to Go in Quest of a Pirate Brigandine, Expected to be on our Coast, or any other Vessell that, they, have Suspicion of. By Order of the Committee,

Legislative Records of the Council, xi., 313.

Legislative Records of the Council, xi., 313. House Journal, p. 14. *Infra*, chap. 15.

W^M Tailer.

Read & Accepted; &

Ordered, That the Gentlemen of the Committee be desired, to take up the Vessell mentioned in their, Report, and to See her Equipped, and Victualled with all Possible Expedition, and that the Treasurer be directed to make the Necessary Supplies, accordingly. [*Passed June 7.*

[1] There is a mistake in this date, — a mistake repeated in the House Journal and in the State Library copy of Legislative Records of the Council, xi., 305. The true date is December 2, 1719–20; *ante*, p. 45, chap. 97. Capt. John Gardner was then appointed to make the survey, but died, it seems, before doing the work, and Capt. Joseph Burnap is now appointed in his place.

CHAPTER 15.

VOTE FOR ENCOURAGING THE PROSECUTION OF Y^E PYRATES.

Legislative Records of the Council, xi., 315.

House Journal, p. 15. Province Laws, i., 245, chap. 4. *Supra*, chap. 14.

WHEREAS this Court, has Resolved, that a Suitable Vessell mann^d with one hundred men, to be well furnished & Equipped with all Warlike Stores, offensive & Defensive, shall be dispatched, & Sent out with all possible Expedition to reduce & Suppress, a Piratical, Brigantine, now Infesting our Coast; For the Encouragement of that Expedition under the Command of Peter Papillon;

Voted, That the Captors shall be Entituled to the piratical Vessells they shall take and all the Goods, Wares & Merchandizes, whatsoever, that Shall be found on Board, belonging to the pyrates, So far as is Consistent with the Acts, of Parliament, in Such Case made & provided.

And for Further Encouragement; That they be paid out of the publick Treasury, the Sum of Ten pounds per Head for Every Pyrate, Killed or that shall be taken, by them, Convicted of piracy, and be also Entituled to the Common Wages of the Port and in Case any man on board shall be maimed or wounded in Engaging Fighting & Repelling, the Pyrates, he shall be Entituled to a Bounty, Suitable to the Wounds he or they shall recieve, to be allowed & paid out of the publick Treasury of this Province. [*Passed June 8.*

CHAPTER 16.

RESOLVE ALLOWING £6 TO JOHN BILLING.

Legislative Records of the Council, xi., 315.

House Journal, p. 13.

A PETITION of John Billing, praying an allowance for keeping Thomas, Oncunganog[1] (a Blind Indian) Eight Months & for the Charge of his funeral; The Said Indian, being Dead of the Small-Pox.

[Read and]

Resolved, That, the Sum of Six pounds be allowed & paid out of the publick Treasury, to Mr John Billing in full of the Said petition. [*Passed June 8.*

CHAPTER 17.

RESOLVE ALLOWING £7. 16 TO COLL^o JOHN OTIS.

Legislative Records of the Council, xi., 315.

House Journal, p. 14.

AN ACCOMPT presented by Coll^o John Otis, of Billeting Souldiers from May 28th to June 24th 1721. Amo^t to the Sum of £7. 16/.

[Read and]

Resolv^d

That, the Sum of Seven pounds & Sixteen Shillings be allowed & paid out of the publick Treasury, to Coll^o John Otis, in full discharge of the Said Accompt. [*Passed June 8.*

[1] "*Concamug*," in the House Journal.

CHAPTER 18.

ORDER FOR IMPRISONING THE BRIDGEWATER MEN.

Legislative Records of the Council, xi., 315.

Ordered, That the Sherriff of the County of Suffolk do forthwith, Committ to the Goal in Boston the Bodies of Ephraim Howard, Edward Howard, Ephraim Fobes, & Daniel Howard. [*Passed June 8.*

Legislative Records of the Council, xi., 313. House Journal, p. 16. *Ante*, p. 159, chap. 3.

CHAPTER 19.

ORDER FOR ADJOURNING THE COURTS IN MIDDLESEX COUNTY.

Whereas the Court of General Sessions of the peace, & Inferiour Court of Common pleas for the County of Middlesex is appointed by Law, to be held at Cambridge, for the Said County, upon the Second Tuesday of June Curr^t & Several of the Justices, of the Said Court, & others Concerned are members of this Court.

Legislative Records of the Council, xi., 316.

Ordered; That in Consideration of the present Sitting of the General Court, The Justices of the Said Court be directed to adjourn, the Said Courts to the Second Tuesday of July Next, any Law Usage or Custom to, the Contrary, Notwithstanding. [*Passed June 8.*

House Journal, p. 16. Province Laws, ii., 519, chap. 19.

CHAPTER 20.

RESOLVE FOR PAYING £13. 10 TO MR NATH^L KNOLTON FOR SEVERALL SOLDIERS.

Whereas, the General Assembly did at their Session held at Cambridge, in March last Resolve, That the Treasurer Stop out of Capt Harmans Wages, for Phillip Amy Six pounds, for David Burnham, Three pounds, for James Emery, Fifty Shillings, & out of Lt Goddards pay, for Nathl Hastings, Forty, Shillings, to be paid to Mr Nathl Knolton, for their Use, & whereas the Said Money was not Stopped, out of the Muster Rolls, of the Said officers, who are Still in the Service;

Legislative Records of the Council, xi., 317.

Resolved, That the above Sum, amo^t to Thirteen pounds Ten Shillings be allowed and paid out of the publick Treasury, to Mr Nathl Knolton, for the Use of the Said Phillip Amy, David Burnham, James Emery, & Daniel Hastings, in proportion as abovesaid, and that, the Said Sums be Stopped out of the Wages of the Said officers, in ye next, Muster Rolls. [*Passed June 9.*

House Journal, p. 16. *Ante*, p. 142, chap. 109. *Infra*, chap. 21.

CHAPTER 21.

RESOLVE STOPPING CAP^T HARMAN CAP^T BARKER & LIEU^T GODDARD'S WAGES FOR CHARGES OF THE EXPRESS.

Resolved, That the Treasurer be directed to Stop out of the Wages belonging to Capt Johnson Harman, Capt Francis Barker, & Lieu^t John Goddard, the Sum of Eight pounds & Fifteen Shillings, in Equal Pro-

Legislative Records of the Council, xi., 318.

House Journal, p. 17. *Supra*, chap. 20.

portion, for So much paid Rowland Dyke, his Charge in Going Express Eastward to Summon those officers, to appear before the General Court, to answer to the Complaints, brought ags^t^ them by the Soldiers under their Command, at the last, Session. [*Passed June 9.*

CHAPTER 22.

Legislative Records of the Council, xi., 317.

RESOLVE ADVANCING £100 WAGES FOR CAP^T^ PAPILLONS MEN.

Legislative Records of the Council, xi., 317. House Journal, p. 16. *Ante*, p. 163, chap. 14.

Resolved, That the Sum of one hundred pounds, be allowed and paid out of the publick Treasury, to Capt Peter Papillon To be by him distributed, Twenty Shillings to Every Able Bodied man, that shall Enlist, himself under him for this present Expedition, as part of their Wages. [*Passed June 9.*

CHAPTER 23.

VOTE ACCEPTING THE REPORT AB^T^ SUDBURY WEST MEETING HOUSE.

Legislative Records of the Council, xi., 307, 319.

House Journal, p. 20. *Ante*, p. 134, chap. 87.

PURSUANT, to an Order of the General Court having Viewed the place, proposed, & also Seen the Several parts, & Quarters on the West Side of the River, Agreed, That Rocky plain is the Most Convenient place for a Meeting House, for accomodating the Inhabitants on the West Side of Sudbury River, and that it accordingly be placed near Thirty Rods to the Westward of a House, Newly Erected on Rocky plain, (and, where there has been preaching for Some Sabbaths,) near the place, where a Road from Concord, to Woods Mill, Crosses the publick Road to, Lancaster, & to Stand to the Northward of Said Road.

Reasons (1) That Rockey plain is the Most Convenient even for Scituation, to accomodate the Greatest part of the Inhabitants on the West Side, and (2) Thô Poplar Swamp Gutter be pretty near the Center of the Land on the West Side, Yet Considering the Quality of the Land, which wee have Viewed, Our Opinion is, that the Land, on the East Side is as Capable of accomodating new or more Inhabitants than the Land on the West Side (3) The Roads or way to Rockey plain, make it more Convenient to the people, on the Lords Days, Especially in the Winter Season than at Poplar Swamp Gutter, (4) Near Four Fifths, of the Inhabitants on the West Side of the River, are very desirous that it may be at, Rockey plain, & though Several of them, Live Nearer to, Poplar Swamp Gutter, Yet out of Regard to the peace & Interest of the Precinct, Chuse it should be at Rockey plain.

With Respect, to, the Inhabitants, that live most, remote, Viz^t^ on the North Side of Stow River, Wee propose that Considering their Living beyond the River & So much nearer to the Meeting House at Stow, where they Generally Attend the publick Worship, and are likely to do So, that they may be Eased, as to any Charge in the Precinct, & Sett off to Stow as to the Ministerial Charges; Unanimously agreed to, by all Excepting Mr William Wilson, who objected only to, the Last proposall as to those that live on the North Side of Stow River.

Signed by Order of the Committee, W^M^ TAILER.

Read & Accepted, So far as it relates to the placing of the Meeting House, and

Ordered That the Meeting House at Sudbury be placed at Rockey plain Accordingly. [*Passed June 12.*

CHAPTER 24.

RESOLVE AGS^T THE COURANT & FOR IMPRISONING JAMES FRANKLYN.

In Council, the Board having had Consideration, of a Paragraph in a paper Called the New Engl^d Courant, published on Monday last, relating to the fitting out a Ship here to proceed ags^t the Pyrates, & having Examin^d James Franklyn Printer, who Acknowledged himself the publisher thereof, & finding the Said Paragraph to be Grounded on a Letter, pretended by the Said Franklyn to be recieved from Rhode Island,

Legislative Records of the Council, xi., 319.

Legislative Records of the Council, xi., 319. House Journal, p. 21.

Resolved, That the Said, Paragraph is a High affront to this Government.

In the House of Representatives, Read & Concurred; &

Resolv^d that the Sherriff of the County of Suffolk do forthwith Committ to the Goal in Boston the Body of James Franklyn Printer, for the Gross affront offered to this Government, in his Courant of Munday last, there to remain during this Session

In Council; Read & Concurred. [*Passed June 12.*

CHAPTER 25.

VOTE RELEASING BRIDGEWATER MEN FROM PRISON.

A petition of Ephraim Fobes, Edward Howard, Ephraim Howard, & Daniel Howard, humbly, Acknowledging their Great fault & offence, in resisting & Obstructing the Committee of this Court in running the Lines, of a Tract of Land Near the Province Line, & praying, that they may be released from, their Imprisonm^t Ordered by this Court for their Said offence.

Legislative Records of the Council, xi., 318, 320.

House Journal, p. 19. *Ante*, p. 165, chap. 18.

In the House of Representatives; Read &

Voted, that they be released from their Imprisonment, Giving Caution to, the Sherriff, that they attend, the Order of the Court.

In Council; Read & Concurred, with the following amendment; (Viz^t upon their paying the Charge & Damages already occasioned, by their Misdemeanour;) which was agreed to, by the Representatives. [*Passed June 13.*

CHAPTER 26.

ORDER ON THE PETITION OF THE SELECT MEN OF LEICESTER PRAYING CONFIRMATION OF POWERS.

A Petition of John Menzies, Esqr and others Select-men, of Leicester, Praying that the Said Town of Leicester may be Confirmed in the Enjoyment, of the Powers and Priveledges of a Town, & be Enabled to Collect & Gather a Tax upon Polls & Estates, by the Said Town Sett & assessed, for the Support of the Ministry, & other Charges. Read[1] &

Legislative Records of the Council, xi., 322.

House Journal, p. 22. *Ante*, p. 14, chap. 24.

Ordered, That the Town of Leicester, shall have, Use, Enjoy, and Exercise the Powers, Priveledges, & Immunities, that any other Towns

[1] "And accepted" (as reported by a committee), as appears by the House Journal.

have, and that the Present, Town officers shall remain & Continue in their Respective Places & Trusts untill Others shall be Chosen in their rooms in the Annual Town, Meeting in March Next, and That the Town Rate & Tax, Granted and Agreed upon by the Said Town Meeting, of Five Shillings p^r the poll, & Four pence p^r the Acre, and Accordingly Assesed by the Select-men or Assessors, who were under Oath, directed to the Constable or Constables, of the Said Town, & dated on April 8th 1722, be and hereby is Confirmed & Established, and the Constable Daniel Denny, to whom the Warrant for Collecting the Same is directed be and hereby is fully Impowered and Authorized & directed, to proceed & act, According to the Warrant, & the Laws, in that Case Provided, Saving to any person Over Rated, Contrary to that Towns, Vote, their Remedy by & from the General Sessions, of the peace in the County of Middlesex, according to the directions of the Law. [*Passed June 14.*

CHAPTER 27.

ORDER ON PETITION OF THE COMMITTEE FOR SALEM EAST PARISH IN REGARD TO ARREARS OF TAXES.

Legislative Records of the Council, xi., 322.

House Journal, p. 25. Province Laws, ii., 181, chap. 6.

A PETITION of Simon Willard & others a Committee, for the East Parish, in Salem; Shewing that the Collectors for the Said Parish, are In Arrears, as to, the Tax Committed to them, Many persons refusing to pay them, & that they have No power to distrain, Not, being under Oath at the Time of the Execution of their Said office, the Law Obliging, Collectors to be under Oath being made Since Two of the s^d Collectors were appointed, and therefore praying that the Said Collectors may now be admitted to their Oaths and Impowered to, Collect, what Remains of the Sums Committed to, them, Read &

Ordered; That the prayer of the petition, be Granted, and that the Said Collectors be admitted to their Oaths, and Impowered Accordingly, that So there may be no defect, in Gathering the Taxes any, Law, Usage, or Custom, to the Contrary Notwithstanding. [*Passed June 14.*

CHAPTER 28.

RESOLVE ALLOWING TREASURER ALLENS ACCO^T OF DISBURSMENTS.

Legislative Records of the Council, xi., 323.

House Journal, p. 6.

AN ACCOMPT of Moneys paid & disbursed by Jeremiah Allen Esqr, Treasurer, for Provisions, & other Necessarys, for his Majesties Forces Eastward, & other Incidental Charges, for his Majesties Service, from March 1721, to May 20th 1722, Amo^t to, the Sum of £835. 5. 7.

[Accepted, And]

Resolved; that the Sum of Eight Hundred & Thirty Five pounds, Five Shillings, & Seven pence,[1] be allowed, and paid out of the publick Treasury, to Jeremiah Allen Esqr Treasurer, in full discharge of the above Accompt. [*Passed June 14.*

[1] The House Journal has the sum £833. 5. 7.

CHAPTER 29.

RESOLVE ON THE AFFAIRS OF WORCESTER, IN REGARD TO THE MINISTRY.

Resolved, That the Inhabitants of Worcester, be Vested with the powers & Priveledges of other Towns within this Province, and that it be Earnestly recommended to that Council, only of the Seven Churches, which did meet at Worcester in Septr 1721, to whom the Contending parties Submitted, their differences relating to the Revr^d Mr Andrew Gardner, That the Said Council proceed & Go to Worcester on or before the First Wednesday in September Next, to finish what is further Necessary to be done for the procuring, & Establishing, of Peace in the Said Town, according to the Submission of the Partys, & that the Freeholders & Inhabitants of Worcester, be Assembled on the last, Wednesday in Septr Next at Ten a Clock in the Forenoon, to Chuse all Town-officers, as by Law accustomed for Towns to do at their Annual Meeting in March, and, that at, the Opening of the Meeting, they first proceed to the Choice, of a Moderator by Written Votes. [*Passed June 14.*

Legislative Records of the Council, xi., 323.

House Journal, pp. 13, 22.

CHAPTER 30.

RESOLVE ALLOWING £4. 13. 3 TO BENJ^A HALLEY.

An Accompt of Benj^a Hally of Work Done & Materials Supplied for his Majesties Fort at Winter Harbour, Amo^t to the Sum of £4. 17. 3.
[Read, Accepted And]
Resolved, that, the Sum of Four pounds Thirteen, Shillings, & Three pence, be allowed & paid out of the publick Treasury to Benj^a Halley, the Accomptant in full discharge, of the Within Accompt. [*Passed June 14.*

Legislative Records of the Council, xi., 323.

House Journal, p. 26.

CHAPTER 31.

RESOLVE ALLOWING £24 TO DISCHARGE BENJ^A HALLEYS 2^D ACCO^T.

An Accompt of Benj^a Halley for Cord Wood Supplied his Majesties Fort Mary at Winter Harbour for the Year 1721. Amo^t to £33. 18/.
[Read, Accepted and]
Resolved, that the Sum of Twenty Four pounds[1] be allowed & paid out of the publick Treasury to Benj^a Halley the Accomptant, in full discharge of this Acco^t of Wood hereto Annexed. [*Passed June 14.*

Legislative Records of the Council, xi., 324.

House Journal, p. 26.

CHAPTER 32.

RESOLVE ALLOWING £2. 5 TO DISCHARGE BENJ^A HALLEYS 3^D ACCO^T.

An Accompt of Benj^a Halley of Cord Wood Supplied his Majesties Fort, Mary, at Winter Harbour in the Year 1721, Amo^t to £3. 3/.
[Read, Accepted and]

Legislative Records of the Council, xi., 324.

[1] The House Journal reads, £24. 2.

House Journal, p. 26.

Resolved That the Sum of Two pounds Five Shillings be allowed & paid out of the publick Treasury to, Benjamin Halley in full discharge of the Within Accompt. [*Passed June 14.*

CHAPTER 33.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF NORTHFEILD GARRISON.

Legislative Records of the Council, xi., 324.

A MUSTER, ROLL of the Garrison at Northfeild under the Comm^d of Serg^t Joseph Halley, Containing an acco^t of their Wages, & Billeting from Decr 1st 1721, to May 31st 1722, Amo^t to the Sum of £162. 10/.

House Journal, p. 26.

[Read, Accepted and]

Resolved, That the Sum of One hundred and Sixty Two pounds & Ten Shillings be allowed & paid out of the Publick Treasury, to Henry Dwight, Esqr in full discharge of the Muster Roll & Billeting. [*Passed June 14.*

CHAPTER 34.

RESOLVE ALLOWING £4. 2 TO D^R THO^S HASTINGS.

Legislative Records of the Council, xi., 324.

AN ACCOMPT of Thos Hastings, Surgeon of the Cure of Joseph Allis A Soldier of the Garrison at Northfeild Amo^t to the Sum of £4. 2/.

House Journal, p. 27.

[Read, Accepted and]

Resolved That the Sum of Four pounds Two Shillings be allowed & paid out of the publick Treasury to Henry Dwight Esqr in full discharge of the Within Accompt. [*Passed June 14.*

CHAPTER 35.

RESOLVE ALLOWING £7. 16 TO DISCHARGE CHADBURNE'S, GRANT'S, AND BUTLER'S ACCO^T.

Legislative Records of the Council, xi., 324.

AN ACCOMPT of Humphrey Chadburn, James Grant & Thos Butler of the Charge of Seizing Pine Logs Cut on ye Province Lands, Amo^t to, £7. 16/.

Legislative Records of the Council, xi., 116. House Journal, p. 8 (March, 1720); p. 20. *Ante*, p. 90, chap. 25.

[Read and]

Resolved That the Sum of Seven pounds Sixteen Shillings, be allowed & paid out of the publick Treasury to Humphrey Chadburne, James Grant, & Thos Butler, the Accomptants, in full discharge of the Said Accompt. [*Passed June 14.*

CHAPTER 36.

RESOLVE ALLOWING £8. 15 TO WILL^M PRAT.

Legislative Records of the Council, xi., 325.

AN ACCOMPT of William Pratt of the Hire of his Sloop & Company for Seven days, in ye publick Service under Coll^o Edm^d Goffe Amo^t to £8. 15/.

[Read, Accepted and]
Resolv[d] That the Sum of Eight pounds & Fifteen Shillings be allow[d] and paid out of the publick Treasury to William Pratt the Accomptant in full discharge of the Above Accompt. [*Passed June 14.*

House Journal, p. 26.

CHAPTER 37.

VOTE FOR THE TREASURERS DISCHARGE ON HIS GENERALL ACCOMPT.

The Accompts of Jeremiah Allen Esq[r] Treasurer & receiver General of the Province of the Massachusets Bay in New England, beginning the Thirty first of May 1721, & Continued to the Thirty first of May 1722, amo[t] to the Sum of Ninety Six Thousand Eight Hundred, Forty Seven pounds Eight Shillings & Eight pence half penny,[1] having been laid before the House of Representatives, and Inspected, by Said House, by which it appears there was Standing out the Thirty first of May 1722, Twenty Nine hundred, Twenty Nine pounds Three Shillings & Eight pence, of the Taxes, Eleven Thousand Eight Hundr[d] and Nine pounds, Two Shillings Neet Province Bills, and Five Thousand One hundred, Twenty Seven pounds, & Four pence half penny,[1] with the Five p[r] C[t] advance, thereon in The Treasury further to be Accompted for.

Legislative Records of the Council, xi., 326.

House Journal, p. 25.

Voted, That, the Said Accompts in the Several Articles, of Receipts & payments, therein Mentioned amo[t] to the Sum of Seventy Six Thousand Nine hundred Eighty Two pounds Two Shillings & Eight pence, be and hereby, are allowed of and, the Said Treasurer, is hereby discharged of the Said Sum of Seventy Six Thousand Nine hundred, Eighty Two pounds, Two Shillings & Eight pence. [*Passed June 15.*

CHAPTER 38.

RESOLVE ADDING £4 PER ANNUM TO THE ALLOWANCE IN FAVOR OF JONATHAN JACKSON.

A petition of Jonathan Jackson, of Scituate, Praying that as the Court were pleased, to allow him a Pension of Four pounds p[r] annum, in Consideration of the Wounds, he recieved in the Countreys Service, in Phillips War, This Court, would please to add Something, to his Support in his Old Age, His wounds being now more Greivous, to him than formerly. Read, and for the Considerations mentioned in the petition.

Legislative Records of the Council, xi., 327.

House Journal, p. 27.

Province Laws, ix., 660, chap. 27.

Resolved, that[2] the Sum of Four pounds p[r] annum be added to the allowance, & paid out of the publick Treasury, to Jonathan Jackson, the petitioner during his Natural life. [*Passed June 15.*

[1] The "half penny" is omitted in the House Journal.
[2] After this word the House Journal inserts the words "for the Considerations mentioned in the Petition," which here appear in the line of the text preceding.

CHAPTER 39.

RESOLVE ALLOWING £1. 10 TO NATH^L TARBOX.

Legislative Records of the Council, xi., 328.

House Journal, p. 29.

AN ACCOMPT of Nathl Tarbox, of wood Supplied, the Soldiers under Command, of Coll^o Edmund Goffe Amo^t to the Sum of £2. 2.

[Read, Accepted and] *Resolved*, that the Sum of one pounds[1] Ten Shillings be allowed & paid out of the publick Treasury, to Nathl Tarbox, in full of the within Accompt. [*Passed June 16.*

CHAPTER 40.

RESOLVE ALLOWING £117. 9. 6 TO COLL^O JOSEPH BUCKMINISTER.

Legislative Records of the Council, xi., 328.

Legislative Records of the Council, xi., 327. House Journal, pp. 27, 28, 30.

AN ACCOMPT Presented by Coll^o Joseph Buckminister & Capt John Shipley, of the Charge of Surveying The Lands on Each Side, of Merrimeck River, between Suncook and Contu Cook by Order of the House Amo^t to, £117. 9. 6.

[Read, accepted, and]

Resolv^d That, the Sum of one hundred & Seventeen pounds, Nine Shillings & Six pence, be paid out of the publick Treasury in full discharge of the within Accompt. [*Passed June 16.*

CHAPTER 41.

RESOLVE ALLOWING £40 TO DOMINICUS JORDAN FOR FALMOUTH.

Legislative Records of the Council, xi., 330.

House Journal, p. 30. Province Laws, ix., 292, chap. 27; 524, chap. 4.

A PETITION of Dominicus Jordan, in behalf of the Inhabitants of Falmouth in Casco Bay, Shewing that they have A Minister among them and have begun a Meeting House, for the publick Worship of God, but By Reason of the Troubles by the Indians, which have much Impoverished them, they are unable to finish the Said Build^g And therefore praying that this Court would Allow them Something, for Finishing the Said Building, and the Rather because the Soldiers in the Publick Service will have Some benefitt therefrom.

Read &

Resolved That the Sum of Forty pounds be allowed and paid out, of the Publick Treasury to Mr Dominicus Jordan to be by him delivered into the hands of the Treasurer of the Town of Falmouth towards Carrying on &[2] Finishing a Meeting House Erected in the Said Town. [*Passed June 18.*

CHAPTER 42.

VOTE ALLOWING ACCOMPT OF THE COUNTY TREASURER OF PLIMOUTH.

Legislative Records of the Council, xi., 330.

AN ACCOMPT of John Dyer Treasurer of the County of Plimouth, for the Year 1721, having been presented and Laid before the Court

[1] *Sic.*

[2] The House Journal omits the words "towards Carrying on &," and inserts the word "for."

of General Sessions of the peace for the Said County & by them approved of and allowed House Journal, p. 30.

Read & Allowed. [*Passed June 18.*

CHAPTER 43.

ORDER ON BILLINGSGATE PETITION IN REGARD TO THE MINISTRY.

A Petition of the Agents for the Hamlet of Billingsgate, Praying that they may be Sett off a Precinct to be a Third part of the Town of Eastham, Or to Extend from the Bound Line of Truro to the Indian Brook, & So to Billingsgate Point, Or that the Three ministers may be Supported, by the whole Town, Only further praying that a Committee, at the Charge of the Petitioners, may Go on the Spot, & View & Consider the Circumstances of the Said Hamlet, and Report to this Court at their Next Session, what they may think reasonable & Necessary to be done for the Petitioners, Respecting the Settlement of the Ministry among them; and that the Town of Eastham be directed to Give their reasons to this Court (If any they have) Why the Petitioners according to the Bounds as Set forth in the Other Petition, Should not be made a distinct, Precinct. Read & Legislative Records of the Council, xi., 331, 333. Legislative Records of the Council, xi., 331. House Journal, p. 31.

Ordered That the Town of Eastham, be Served with a Copy of this Petition, that they may Shew Cause, (If any they have) Why the Prayer of this Petition should not be Granted, on the Second, Wednesday of the Next Session of this Court.[1] [*Passed June 19.*

CHAPTER 44.

RESOLVE ALLOWING £17. 14. 3 TO L^T DAN^L POWNING.

An Accompt presented by Daniel Powning Keeper of the Powder House In Boston, for the Year last past Amo^t to £117. 11. 10, Ballance of which due to him is ye Sum of £17. 14. 3. Legislative Records of the Council, xi., 333.

[Read, And] House Journal, p. 33.

Resolved, that, the Sum of Seventeen Pounds, Fourteen Shillings & three pence, be allowed and paid out of the publick Treasury to Mr Daniel Powning in full[2] of this Acco^t. [*Passed June 19.*

CHAPTER 45.

ORDER ON PETITION OF SIMON DAVIS, & DAVID WHITTAKER FOR PARTITION OF LANDS.

A Petition of Simon Davis & David Whittaker of Concord, Shewing that, there is a Tract of Land, held in Common, between the Petitioner Whittaker & Peter Davis, (Son of the Other, Petitioner Simon Davis) who is an Infant that the Said Land is not Profitable to Either of them, as it now lies, and Therefore Praying that this Court, would appoint Some Meet Persons, to divide the Said Land, that the Said Proprietors may have the Several Parts, thereof Legislative Records of the Council, xi., 329, 333. House Journal, p. 33.

[1] In the House Journal this order is given in a condensed form.

[2] The rest reads thus in the House Journal: "Discharge of his said Accompt to the 31st of *May* past."

Read &

Ordered, That, the Judge of Probate for the County of Middlesex be Impowered and directed to appoint a Committee of Five Freeholders to make a Just and Equal Division, of the Land Mentioned in the petition, and Return the Same upon Oath,[1] unto the Said Judge of Probate, who shall allow of Such Division, & Accordingly Assign the Petitioner, his Part & Share therein Provided all Parties Concerned have due Notice and the Minor have first Chosen his Guardians. [*Passed June 19.*

CHAPTER 46.

ORDER ADJOURNING ESSEX COURTS.

Legislative Records of the Council, xi., 334.

House Journal, p. 34. Province Laws, i., 367, chap. 1; 369, chap. 2.

WHEREAS the Court of General Sessions of the peace, & Inferiour Court of Common Pleas for the County of Essex is appointed by Law to be held at Salem in S^d^ County upon the last Tuesday of June Curr^t^ and Several of the Justices of the Said Court, & others Concerned are members of this Court,

Ordered, That, On Consideration of the present Sitting of the General Court, the Justices of the Said Courts are directed to adjourn the Said Courts to the Third Tuesday of July next, Any Law Usage or Custom to, the Contrary Notwithstanding. [*Passed June 20.*

CHAPTER 47.

VOTE ON JAMES FRANKLYNS PETITION & CONFESSION PRAYING DISCHARGE FROM PRISON.

Legislative Records of the Council, xi., 334.

House Journal, p. 31. *Ante*, p. 167, chap. 24.

A PETITION of James Franklyn Printer, Humbly Shewing that he is Truely Sensible & Heartily Sorry for the offence he has Given to this Court, in the late Courant, relating to the fitting out a Ship By the Government, & Truly Acknowledges his Inadvertency & Folly therein in affronting the Government, as also his Indiscretion & Indecency, when before the Court, for all which he Entreats, the Courts forgiveness, & praying a discharge from the Stone Prison, where he is Confined, by Order of the Court, and that he may have the Liberty of the Yard, He being much Indisposed, & Suffering in his health, by the Said Confinement, A Certificate from Dr Zabdiel Boylstone of his Illness, being offered, with the Said petition.

Read &

Voted, That, James Franklyn now a Prisoner in the Stone Goal may have the Liberty of the Prison House & Yard, upon his Giving Security for his faithfull abiding there. [*Passed June 20.*

CHAPTER 48.

RESOLVE ALLOWING £1. 15 TO EZRA COTTELL.

Legislative Records of the Council, xi., 334.

AN ACCOMPT presented by Ezra Cottell of Horse Hire Time & Expence in Riding Express from Newbury to Boston, Amo^t^ to, £1. 15/.

[Read and]

[1] The House Journal does not contain the words "upon Oath."

Resolved, That the Sum of one pound & Fifteen Shillings be allowed & paid out of the Publick Treasury, to Ezra Cottell in full discharge of the above Accompt. [*Passed June 20.*

House Journal, p. 33.

CHAPTER 49.

VOTE RESPECTING THE VACATION AT HARVARD COLLEDGE.

Whereas, by reason of the Small Pox being In the Town of Boston & Several Other Towns, the Summer past, Several of the Students of Harvard Colledge were absent a Great part of the Year past and upon its approach into the Town of Cambridge in Novr last, that Society was broken up for Sometime, & being not Long Since Got together, and the Commencement near at hand,

Legislative Records of the Council, xi., 335.

House Journal, p. 35.

Voted, That the Gentlemen of the Corporation be advised, that the Vacation usually allowed & Given, to the Students after the Commencement, which was[1] Four or Five Weeks do not Exceed, one Week, But[2] that, the Students may in Some Measure regain their lost time, by reason of their Long absence, Occasioned, as aforesaid; That the Fellows, Tutors, & Students, be not allowed to be absent, more than a Week, from the Commencement, & then put into Commons again, and So[2] follow their Usual Studys & Recitations. [*Passed June 21.*

CHAPTER 50.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT FORT MARY AT WINTER HARBOUR.

A Muster Roll of the Garrison in his Majestys Service at Fort Mary, at Winter Harbour, under the Comm^d of Capt John Gray, Containing an Accompt of Wages Due to them for their Said Service, from March 2^d to March 28th 1722 Amounting to the Sum of £13. 19. 5.

Legislative Records of the Council, xi., 336.

House Journal, p. 36.

[Read, Accepted and]

Resolved That, the Sum of Thirteen pounds, Nineteen Shillings & Five pence be allowed & paid out of the publick Treasury, to discharge the Wages due to the officers, & Soldiers, therein Mentioned.[3] [*Passed June 22.*

CHAPTER 51.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF LIEU^T JOSEPH HEATHS COMP^Y.

A Muster, Roll of the Company under the Command of Lieu^t Joseph Heath, in his Majesties Service in the Eastern parts Containing an Accompt of their Service from Decr 20th 1721, to May 1722, Amo^t to the Sum of £233. 4. 3.

Legislative Records of the Council, xi., 337.

House Journal, p. 36.

[Read, Accepted and]

Resolved, That the Sum of Two hundred & Thirty three pounds Four

[1] The House Journal inserts, "usually."
[2] The House Journal omits this word.
[3] The House Journal reads "inserted," instead of "Mentioned."

Shillings & three pence be allowed & paid out of the publick Treasury to[1] the officers & Soldiers, Inserted, in the Within Muster Roll to discharge their Wages. [*Passed June 22.*

CHAPTER 52.

RESOLVE ALLOWING £24 TO JOHN MARRINER.

Legislative Records of the Council, xi., 337.

House Journal, p. 36.

AN ACCOMPT Presented By John Marriner, of the Hire of the Sloop Brittania, Impress d to go on the publick Service, to Penobscot, being out one Month with Wages, As Certified by Capt Moodey Amo^t to the Sum of £24.

[Read, Accepted and]

Resolved

That, the Sum of Twenty Four pounds be allowed & paid out of the publick Treasury to[2] John Marriner, to discharge the Within Accompt. [*Passed June 22.*

CHAPTER 53.

RESOLVE ALLOWING £7. 16. 11 TO SAMUEL GOOKIN.

Legislative Records of the Council, xi., 337.

House Journal, p. 36. *Ante*, p. 122, chap. 54. *Infra*, chap. 54.

AN ACCOMPT, Presented by Samuel Gookin, Sherriff of disbursments on the Prison at, Cambridge, Amo^t to, the, Sum of £15. 13. 10.

[Read, Accepted and]

Resolved That, the Sum of Seven pounds, Sixteen Shillings, & Eleven pence[3] be allowed & paid out of the publick Treasury to, Samuel Gookin Sherriff in full discharge of the province part of S^d Accompt. [*Passed June 22.*

CHAPTER 54.

RESOLVE ALLOWING £6. 12. 7 TO DISCHARGE SAM^LL GOOKINS 2^D ACCO^T.

Legislative Records of the Council, xi., 337.

Legislative Records of the Council, xi., 243. House Journal, p. 36. *Supra*, chap. 53.

AN ACCOMPT Presented by; Samuel Gookin, Sherriff of Sundrys Disbursed for the Indian Hostages at The Prison in Cambridge, Amo^t to £6. 12. 7.

[Read, Accepted and]

Resolved That the Sum of Six pounds, Twelve Shillings & Seven pence, be allowed, and paid out of the publick Treasury, to Mr Samuel Gookin Sherriff in full discharge, of the within Accompt. [*Passed June 22.*

[1] The House Journal from this word on reads, "Discharge the Wages due to the Officers and Soldiers therein inserted."

[2] The House Journal from this word on reads, "the Accomptant in full Discharge thereof."

[3] The House Journal from this word on reads, "being one half of the said Sum, be Allowed . . . *Samuel Gookin* Sheriff, (the other half being to be Paid by the County of *Middlesex.*)"

CHAPTER 55.

RESOLVE ALLOWING £28. 1. 8 TO DISCHARGE SAM^LL GOOKINS 3^D ACCO^T.

An Accompt presented by Samuel Gookin Sherriff of Sundrys disbursed for the Board of Monsr Casteen Amo^t to, the Sum of £28. 1. 8.

[Read, Accepted and] *Resolved* That the Sum of Twenty Eight pounds one Shilling & Eight pence be allowed & paid out of the Publick Treasury to Samuel Gookin Sherriff in full discharge of the within Accompt.[1] [*Passed June 22.*

Legislative Records of the Council, xi., 338.

Legislative Records of the Council, xi., 243. House Journal, p. 36.

CHAPTER 56.

RESOLVE FOR AN ALLOWANCE TO M^R SAM^LL HUNT, MINISTER OF DARTMOUTH.

A Petition, of Sundry Persons, being of the Church, & Congregation at Acooshnett Village in Dartmouth, Praying, this Court to appoint an Annuall Salary Sufficient for the Maintenance of Mr Samuel Hunt, their Minister, to be paid to him out of the Province Treasury for Reasons in the S^d Petition Mentioned.

Read and

Resolved That the Sum of One hundred pounds be allowed & paid out of the publick Treasury, to Mr Sam^ll Hunt, Minister of the Town of Dartmouth, for his Support in the Ministry the Year Currant, Beginning the First of June Instant pursuant to An Act, made in the Second Year of King George[2] Entituled An Act for the Maintenance, & Propagating Religion. [*Passed June 22.*

Legislative Records of the Council, xi., 339.

House Journal, pp. 12, 33. Province Laws, ii., 26, chap. 17.

CHAPTER 57.

VOTE FOR PROVIDING A MINISTER AT TIVERTON.

Voted, That there be a[3] Learned Orthodox, Minister, of Good Conversation Sent to the Town of Tiverton, Pursuant to an Act, made in the Seventh[4] Year of the Reign of his Present Majesty, Entituled an Act, for maintaining, & Propagating Religion, & That Edward Bromfield, Esqr, with, the Revr^d Mr Benj^a Wadsworth, Mr Benj^a Colman & Mr Joseph Sewall, be[5] a Committee to Lookout Such an able Minister, For the Said Town. [*Passed June 22.*

Legislative Records of the Council, xi., 339.

House Journal, p. 35. Province Laws, ii., 26, chap. 17.

[1] For the last three words the House Journal reads, "this Accompt."
[2] "His Majesty's," in the House Journal.
[3] The House Journal reads, "an Able, Learned," etc.
[4] The House Journal reads "Second," which of course is right. The State Library copy (Legislative Records of the Council, xi., 326) reads "Seventh."
[5] The House Journal from this word on reads, "appointed to look out and recommend such an One for the said Town."

CHAPTER 58.

RESOLVE ALLOWING £2. 6. 6 TO W^M DYER.

Legislative Records of the Council, xi., 339.

House Journal, pp. 35, 36.

AN ACCOMPT of William Dyer of Work done at Fort Mary, at Winter Harbour, Certified by Capt John Gray, Amo^t to the Sum of £2. 6. 6.

[Read, Accepted, And]

Resolv^d

That, the Sum of Two pounds Six Shillings & 6^d, be allowed and paid out of the publick Treasury, to[1] William Dyer in full of the Within Accompt. [*Passed June 22.*

CHAPTER 59.

RESOLVE ALLOWING £20 TO ANDREW GREELY & HENRY AMBROSE.

Legislative Records of the Council, xi., 340.

House Journal, p. 38.

A PETITION of Andrew Greely & Henry Ambrose, praying for Some allowance out of the publick Treasury in Consideration of what they have Suffered by their Being Taxed to the Government of New Hampshire, & Imprisoned there because of their refusall to pay their Taxes to that Government.

Read &

Resolved That, the Sum of Twenty pounds, be allowed & paid out of the Publick Treasury to Andrew Greely & Henry Ambrose Ten pounds to Each of the Petitioners in answer to their petition. [*Passed June 23.*

CHAPTER 60.

VOTE ACCEPTING THE REPORT ABOUT MILTON MEETING HOUSE.

Legislative Records of the Council, xi., 340.

House Journal, pp. 27, 35. *Ante*, p. 26, chap. 52.

A PETITION of a Committee Specially appointed for the Town of Milton, Shewing that, the place Stated for the Build^g a Meeting House, in the Said Town is not to be disposed of, Nor Can a Title be made thereto, Some of the Proprietors being under Age; & there fore praying in behalf of the Said Town that the Meeting House may be built on the Ministerial or Church Land So Called, Thirty Rods Westerly of the Land of Nathl Pitcher & on the South Side of the Way Through the S^d Land. A Petition of Samuel Miller & others in Behalf of the Inhabitants of the Easterly End of Milton praying that the Meeting House may not be Sett on the Church Land and that they may be heard thereupon.

In the House of Representatives [June 14], Read &

Ordered That Mr James Cushing, Joseph Buckminister Esqr and Mr Thomas Sanford be a Committee, to repair to Milton View the place Assigned by the former Committee, & find out the Most Convenient, & Nearest place to it, for the Erecting a Meeting House, & Report the Same to the House June 20 1722, Mr James Cushing from the Committee reported that they had been at Milton, Viewed, the place that A Former Committee had Stated for Erecting a Meeting, House in Said Town, and also at the request of the Inhabitants went & Viewed, the Most part of the Said Town, where, the Inhabitants

[1] The House Journal from this word on reads, "the Accomptant in full Discharge of said Accompt."

dwell, & in our humble Opinion, the Most Convenient place for the Erecting a Meeting House, in the Said Town, The Nearest to the place the former Committee Stated is about Five & Twenty Rods Easterly of the Said place on the other Side of the Way, on Ensign Swifts Land, Said Swift offering an Accomodation of Land to the Town, at a Reasonable Rate to Erect Said House, & accomodations for the Same to the, Quantity of half an Acre of Land or thereabouts being Thirteen Rods Long upon the Front, at the Said way and Six Rods wide, beginning at, the North East, Corner of S^d^ Land and So Extending westward, Thirteen Rods by Said way, Read & Accepted. [*Passed June 23.*

CHAPTER 61.

RESOLVE ALLOWING £24. 6. 11 TO NICHOLAS BOON.

An Accompt presented by Nicholas Boon of paper & printing for the House of Representatives in March last with paper &c^a^ Supplyed William Payne Esqr Clerk of the Said House, Amo^t^ to the Sum of £24. 6. 11. In the House of Representatives; [Read, Accepted and]

Legislative Records of the Council, xi., 337, 341.

House Journal, pp. 35, 38.

*Resolv^d^*

That the Sum of Twenty Four pounds, Six Shillings & Eleven[1] pence be allowed and paid out of the publick Treasury, to[2] Mr Nicholas Boon in full discharge of the Said Accompt.

In Council, read and Concurred with, the abatement of Fifteen Shillings for Horse Hire; In the House of Representatives Read and Concurred. [*Passed June 23.*

CHAPTER 62.

ORDER ON PETITION OF JOSP^H^ MARBLE & OTHERS OF SUDBURY PRAYING TO BE SET OFF.

A Petition of Joseph Marble & Seven other Inhabitants, of the Town of Sudbury, Lying on the Westerly Side of Elisabeth River, Shewing that by reason of their remoteness and having, the Said River between them & the Town, they Cannot without Great difficulty, attend the Publick Worship there, & praying to be Sett off with their Families, to the Church in the Town of Stow; Read &

Legislative Records of the Council, xi., 342.

House Journal, p. 39.

Ordered That, the Town of Sudbury be Served with a Copy of this petition, That So they may Give Answer, thereto (if they See Cause) on the Second Wednesday of the[3] Session of this Court, In Autumn Next. [*Passed June 25.*

[1] In the House Journal, "four."
[2] The House Journal here inserts, "the Accomptant."
[3] The House Journal here reads "next Sessions," ending there.

CHAPTER 63.

ORDER ON PETITION OF HENRY GIBBS & JOHN COTTON FOR PARTITION OF LAND.

Legislative Records of the Council, xi., 342.

House Journal, pp. 39, 40.

A PETITION of Henry Gibbs of Boston, John Cotton & Mary Cotton, his Wife, Shewing that their Grandmother Mrs Elizabeth Corwin left by Will a Ware House, Land & Wharf Near the Town Dock, & Two pells: of Land at, the North End of Boston, to the Children of her Son Robert Gibbs, to Her Son Henry Gibbs, & the Children of her Son George Corwin, that the Children last Mentioned, are under age, & no Guardian for them appointed, So that the S^d^ Estate Cannot, be divided without, the particular direction of this Court, by reason of which it is very Little profitable to them; and therefore praying that this Court would appoint a Committee to divide the Same, & Sett off to the Petitioners, their Respective parts; Read &

Ordered That the Judge of Probates for the County of Suffolk, be Impowered & directed to appoint a Committee of Five Free holders, to make a Just & Equal Division, of the Houses & Lands, Mentioned, in the Petition, & Return the Same upon Oath, unto the Said Judge of Probates, who Shall allow of Such division & accordingly Assign to the Petitioners their Respective Parts Or Shares, therein Provided That the Administrator to the Estate of the Revr^d^ Mr George Corwin Dec^d^, & all other Persons Concerned be duly notified before Such division be made. [*Passed June 26.*

CHAPTER 64.

ORDER FOR PRINT^G^ THE EXPLANATIONS OF THE ACTS &c^A^.

Legislative Records of the Council, xi., 343.

House Journal, p. 42.

Ordered That the Several Resolves pass'd by this Court in Explanation of the laws of the Province, that are not Yet Printed, be printed, with the Acts to be pass'd this Session; and that upon a New Impression of the Laws, they be printed at the End of the Acts[1] they refer to. [*Passed June 26.*

CHAPTER 65.

VOTE FOR SUPPLYING THE TOWNS WITH ACTS.

Legislative Records of the Council, xi., 343.

House Journal, p. 40.

*Resolv^d^* That, the Several Towns in this Province be Supplied with the Several Acts that have pass^d^ Since the Year 1714 at, the Charge of the Province. [*Passed June 26.*

[1] In the House Journal, "several Laws."

CHAPTER 66.

ORDER ON COMMITTEES REPORT FOR MAK G, SMALL BILLS.

In Obedience to the Order on the other Side, the Committee propose, that, there be printed, in Parchment, to the Value of Five hundred pounds, of the Following, Denomination, Viz[t].

Legislative Records of the Council, xi., 343.

40–001 Penny Bills	£166. 13. 5
20–000 Two penny Bills	166. 13. 4
13–333 Three penny Bills	166. 13. 3[1]
	£500. –. –

Legislative Records of the Council, xi., 327. House Journal, p. 41. Province Laws, ii., 189, chap. 14; 242, chap. 3.

And that the Said Bills be delivered to the Treasurer of the Province, by him to be Exchanged for other Bills of this Province, to Such persons as Come for the Same, but not less at One Time than Twenty Shillings, and that there be an Act pass'd for their Being Accepted by the Treasurer and Recievers[2] Subordinate to him, in all publick payments, as other the Bills of this Province are, and that the Five hundred pounds Exchanged for those Bills be burnt. All which is humbly Submitted.

June 26th 1722 By Order of the Committee,

Penn Townsend

Read & Accepted, &

Ordered that the Committee appointed to Consider of a Remedy for the want of Small Money for Change be desired to take Care of the Making & Imprinting the Small Bills, agreeable to their Report, and that they prepare the draught of a Bill accordingly. [*Passed June 26.*

CHAPTER 67.

ORDER APPOINTING A COMMITTEE FOR VIEWING PROV: LANDS NEAR CHECABY RIVER.

Whereas, there are Two Tracts of Lands, belonging to the Province, bounded Southerly by Checaby River, & partly on Ten Thousand Acres of the Equivalent Lands, North partly on the Said Equivalent Lands, & partly on the Province Lands, not Sufficient for a Township.

Legislative Records of the Council, xi., 344.

Ordered That Coll[o] John Stoddard, John Chandler Esq[r] & Cap[t] William Ward, be a Committee to Survey the Said Land, & return a platt thereof, with the Quality of the Land, to this Court, at their Next Session. [*Passed June 26.*

House Journal, p. 42.

CHAPTER 68.

ORDER ON THE PETITION OF AMESBURY PROPRIETORS COMPLAINING OF A JUDGMENT.

A petition of the Proprietors of Amesbury in the County of Essex, Shewing that William Hackett of the Said place, administrator, &c[a] Commenced an Action ags[t] them at the Inferiour Court for the Said

Legislative Records of the Council, xi., 344.

[1] There is a slight mistake in the figures of pence in the House Journal.
[2] "Receiver General," in the House Journal.

House Journal, p. 43.

County, held at Salem, in Decr last, and Recovered, Judgment ags^t them, for one hundred pounds, &c^a from which they appealed to the Next Superiour Court, to be holden at Ipswich and Recognized, & Filed, their reasons accordingly; but, through the Clerk of the Inferiour Courts Neglect in Not, Noting under his hand, on the Said Reasons, the day of his reciev^g them, as the Law directs, their Appeal was dismiss'd and the Said Hacket Recovered affirmation of the Former Judgm^t with additionall Costs, and therefore praying that they may be Impowered to try the Said appeal, at the Next Superiour Court for the Said County; the Said Omission notwithstanding, or be otherwise relieved.

[Read and]

Ordered That the Clerk of the Inferiour Court[1] for the County of Essex be Impowered to Make out a Certificate, upon the Back of the Originall, Reasons of Appeal,[2] under his hand, of the reciept of the Said Reasons of appeal in the Case of the petitioners, and that the Justices of the Superiour Court of Judicature be Impowered and directed to allow of Such Certificate,[3] & accordingly proceed to Hear & Try the Said appeal therenpon, at the Next Superiour Court, to be holden for the Said County of Essex; Any Law Usage Or Custom to the Contrary Notwithstanding, & the Clerk of the Superiour Court is hereby directed to deliver to the Proprietors or their Order the Originall reasons and to Carry with him to, the Said Next Superiour Court in the County of Essex; the Copy of the Case the Proprietors of Amesbury, to Notify the Adverse party, of this Order By Leaving a Copy thereof, with them, Fourteen days at Least before the Courts Sitting.[4] [*Passed June 27.*

CHAPTER 69.

ORDER ON PETITION OF THE TOWN OF YARMOUTH FOR ERECTING A NEW PRECINCT.

Legislative Records of the Council, xi., 345.

House Journal, p. 23.

A PETITION of John Hedge, Representative of the Town of Yarmouth, in behalf of the Said Town Shewing that at a Meeting of the Said Town held Febr^y 20th 1721/2 It was Voted that the Eastern part of the Said Town be forthwith Sett off a Distinct precinct & may as soon as they See Cause build, a meeting House, on the Conditions Following, Viz^t that the dividing Line, between the West & East Precincts begin upon the Hill, upon the Countrey Road, North Eastward from the House Lately Thomas Fellens and So Extending Eastward, by the Said Countrey Road, and the Road that leads down to Bass River, taking all the Said Fellons Farm, in the South Side of the Said Way, till it Comes to the Line, that divides between the Said Fellons Farm & the land of William Baker or Samuel Smith, & then Extending Southerly into the River, and then as the River Runs into the Sea, and then Northerly from the S^d Hill to the Southwest Corner of Jonathan Smiths Upper Field Fence, & from thence to the Northeast Corner of Nathan Taylours Field Fence to the Northeast of his Land, & thence from Said Corner, in the Line, between Said Smith & the Taylours to the Brook that is between Said Smiths & Richard Taylours, and So as the Brook

[1] "Of Common Pleas", in the House Journal.

[2] "With the Case of the Petitioners", in the House Journal; which now omits all until the words "And that the Justices of the Superior Court of Judicature."

[3] "Certificates," in House Journal.

[4] The Secretary's record states that both order and concurrence were by the Council. The mistake is corrected by the House Journal, which shows that the order was by the Council, and the concurrence by the House of Representatives.

runs into the Creek & as the Creek runs into the Sea, all to the South & West of the Said Line; to be and Remain to the West Precinct, and all to the North & East of the Said Line to the East Precinct; Only it is proposed to Reserve to the West Precinct an Equal Right as to the Sea Shore, for whaling as was reserved by the Propriety for the Priveledge of the Said Precinct and That the Town have desired, the Confirmation of their Vote, & therefore, Praying an Order of this Court accordingly.

Read &

Ordered that, the prayer of the Petition be Granted. [*Passed June 27.*

CHAPTER 70.

ORDER FOR CONTINUING THE HEARING ON PHINEAS PARKERS PETITION &c^A.

A Petition Signed Phineas Parker &c^a Grantees of the South part of the Tract of Land, Westward of Groton, & Contiguous thereto, & Granted by the General Court for Two Townships, shewing, that part of the Said Tract of Land was formerly unjustly taken up, by the Proprietors of Lancaster, & Lately Confirmed to them by this Court, which they Suppose has happened from a want of a full Understanding of the Circumstances of the affair, and therefore praying, that they may have a full hearing of their Case before the Whole Court.

Legislative Records of the Council, xi., 321, 346.

House Journal, p. 44. *Ante*, p. 91, chap. 27.

[Read and]

Ordered That the Hearing appointed to be had this day[1] on the Petition of Phineas Parker, & others Grantees of the South part of the Tract of Land Westward of the Town of Grotton, & Contiguous thereto, Lately Granted by the General Court be referred to the Second Wednesday of The Session of this Court in Autumn next, and that the Proprietors of Lancaster be Served by the Petitioners with a Copy of this Order. [*Passed June 27.*

CHAPTER 71.

ORDER ON CHRISTIAN NEWTONS & MARGARET BLYNS PETITION PRAYING A SUPPLY OF PROVINCE ARMS TO DEFEND THEIR SLOOP.

A Petition of Christian Newton & Magarett Blin Shewing, that they are about to fit out & Send a Sloop to the Eastward, to Get their relations out of the Hands of the Indians, and Praying that they may be Supplied with a few of the Province Arms, to defend the Sloop & Company, in Case they be attacked, Read &

Legislative Records of the Council, xi., 348.

Executive Records of the Council, vii., 361, 365. House Journal, pp. 44, 47.

Ordered, That the Petitioners have a Chest, Containing Thirteen Arms, lent them, Provided they Give a Reciept, to return them, or answer the Value of them.[2] [*Passed June 28.*

[1] Such an order in the House of Representatives appears directly after the petition.

[2] There is probably an error in the record of the foregoing order. The House Journal contains no statement of concurrence with the action of the Council (on June 28). On June 26 the petition was reported to the Council by the committee on the Eastern Indians. On June 27 the House, according to the House Journal, "Ordered, That the Prayer of the Petition be granted", and then sent the order up for concurrence. On June 29 the committee's report was taken up and acted upon, the report and result appearing in chapter 76.

CHAPTER 72.

ORDER ON LIEU^T JOHN GODDARDS PETITION IN REGARD TO HIS WAGES.

Legislative Records of the Council, xi., 349.

House Journal, p. 45. *Ante*, p. 142, chap. 109.

A PETITION of Lieu^t John Goddard, Shewing that, Whereas his Wages were Stopped in the last Muster Roll untill he Could Make up his Acco^t of Mollosses due to the Soldiers It may appear to this Court, by Certificates, herewith Exhibited that there is No Mollosses due from the Petitioner, and therefore praying that he may be Now Enabled to recieve his Wages out of the Treasury, Read &

Ordered, That Lieu^t Goddards pay in his past Muster Roll, be not further Stopped on account of Mollosses with held from the men, he having produced from under the Hands of Several of them That they have no Demand on him on that Account. [*Passed June 28.*

CHAPTER 73.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT CASTLE WILLIAM.

Legislative Records of the Council, xi., 349.

Executive Records of the Council, vii., 370. House Journal, pp. 47, 48.

A MUSTER ROLL of the Garrison in his Majesties Service at Castle William, under the Command of the Honb^le Willm Dummer Esqr Containing an Account of Wages due to them for their Service, from March 2^d 1721 to May ye 31st 1722, Amo^t to the Sum of £162. 16. 11.

[Read, Accepted and]

Resolved That the Sum of One hundred Sixty Two pounds Sixteen Shillings & Eleven pence be allowed & paid out of the Publick Treasury to discharge the Wages, due to the officers & Soldiers Contained in the Within Muster Roll. [*Passed June 28.*

CHAPTER 74.

ORDER ON PETITION OF THE PROPRIETORS OF NORTH YARMOUTH PRAYING CONFIRMATION OF RIGHTS AND FOR A COMMITTEE OF MANAGEMENT.

Legislative Records of the Council, xi., 349.

House Journal, p. 43.

A PETITION of John Smith & Sundry other Proprietors of the Town of North Yarmouth in Casco Bay praying that their Ancient Rights, in the Said Town may be Confirmed to them; and that this Court would appoint a Committee for the Management of the Prudential affairs of the Said Town,

Consideration having been had of the Petition of John Smith &c^a Proprietors, of the Town of North Yarmouth, and of the papers therewith Exhibited, That in the Year 1684, Thomas Danforth Esqr President of the Province of Mayne, by Order & authority of the Colony

of the Massachusets, who had purchased that Province of the Assigns, of Sr Ferdinando Gorge, did Give Grant, Bargain & Sell to Messrs Jeremiah Dummer, Walter Gendall, John, Royall & John York Trustees, on behalf and for the Sole use & Benefitt of the Inhabitants of the Town of North Yarmouth, Mentioned in the sd Petition, and that a Settlement was begun, but Broke up by the War.

It is therefore

Ordered, That Five Suitable persons be appointed & Constituted Trustees, In the Room & Stead, of Jeremiah Dummer &ca First mentioned, to Carry on & perfect, the Settlement of that Township, according to Such Rules & Methods, as were then proposed, having Special Regard to the Originall Proprietors and Settlers, and, that the Number at present be Sixty at the least, and, that the Town Book Now in the Hands of Capt Samll Phips of Charlestown, be put into the Hands, of the Committee; a Fair Copy of all to be drawn out & Sent to North Yarmouth (The Originall to remain in Boston for the Present,) under the Custody of a Clerk to be appointed for that purpose, That Attested Copys may be Given, to Such as Want them; the Charge of the Committee to be born by the Proprietors, & Inhabitants of the Said Town and that the Honble William Tayler Esqr Elisha Cook & William Dudley Esqrs & Mr John Smith & Mr John Powell, be the Committee. [*Passed June 28.*

CHAPTER 75.

ORDER ON COMMITTEES REPORT ON THE MEMORIAL OF THE OVERSEERS OF HARVARD COLLEDGE.

Benja Lynde Esqr from the Committee of both Houses, appointed to Consider, the Memorial of the Overseers of Harvard Colledge, Gave in the Following Report, Vizt

Legislative Records of the Council, xi., 348.

The Committee Appointed to Consider the Memorial of the Overseers of Harvard Colledge in Cambridge, having perused & Considered the Charter Granted to the Said Colledge by the General Court of the Colony of the Massachusets Bay, in the Year 1650, which is their present Constitution, and also the Memorial aforesaid, Came to the Following Resolutions which Being put in Practice would answer the End of the Memorial, & be more Beneficiall to that Society, than Enlarging the Number of the Corporation.

Legislative Records of the Council, xi., 320, 335. House Journal, pp. 49, 58, 59.

First, That it was the Intent of the Said Colledge, That the Tutors of the Said Colledge, or Such as have the Instruction & Government of the Students, there, Should be fellows & Members of the Corporation of the Said Colledge, Provided they Exceed not Five in Number.

Secondly That None of the Said Fellows be Overseers,

Thirdly, That the President & Fellows of the Said Colledge or the Major part of them, are not Warranted to fix or Establish any Salary, or allowance for their Service, without the Approbation & Consent of the Overseers.

In the name & by Order of the Committee, Benja Lynde

In Council Read & Sent Down with a Message, That the Council Being Overseers of the Colledge, It is thought Proper That the House pass First on the Report.

In the House of Representatives, Read & Accepted, &
Resolved, That the Corporation for the future Practice Accordingly,
In Council, Read & Concurred.[1] [*Passed June 29.*[2]

CHAPTER 76.

VOTE ON COMMITTEES REPORT, ON CHRISTIAN NEWTONS & MARY BLYNS PETITION FOR AID.

Legislative Records of the Council, xi., 350.

House Journal, p. 47. *Ante*, p. 183, chap. 71.

IN ANSWER to the Petition of Christian Newton and Magarett Blynn referred to the Committee, The Committee Humbly propose, that Thirty men under a Proper officer (whom his Exellency be desired to Commissionate) with Provisions Arms and ammunition be put on board the Sloop offered by Magarett Blynn the Petitioner, to repair as Soon as may be to Passamequady and their to use their Best Endeavours, to recover from The Indians, the persons Mentioned in the Said petition, to be taken by them, with the effects, belonging to them, or any of them; and in Case of Refusall, to deliver them, or that they Cannot find the persons So Unjustly & Forceably, Seized on to make Reprizall of the like Number, of Indians, If possible, in Order to Exchange them, for our people, If it maybe; or if that Cannot be done, to Bring the Said Indians to Boston, & when they have done what is to be performed at Passamaquady, to Touch in their return at the Several places, or Harbours, on this Side, where it is possible there may be any English Fishery or Vessells, & to Give them Notice, of the Fact Committed, at Passamaquady, and to Warn them and all Such Vessells as they See Fishing on the Coast, to be upon their Guard; and in Case they hear

[1] To this resolve the Governor gave a qualified assent, which, under the objection of the House of Representatives, below stated, raised a question of constitutional law. It is doubtful therefore, whether the votes of the text became legislation, but the question may be left with a statement of the facts as recorded.

The Governor wrote as follows: —

"*July 2d*, 1722. I consent to these Votes, provided the Reverend Mr. *Benjamin Wadsworth*, the Reverend Mr. *Benjamin Colman*, and Mr. *Appleton* are not removed by said Votes, but still remain Fellows of the Corporation. *Samuel Shute.*

Read, And

Voted, That a Message be sent up to His Excellency the Governour, to acquaint him, That whereas he has been pleased to make a Proviso in his Consenting to the Votes passed upon by both Houses, relating to *Harrard College*, which has a tendency intirely to defeat the designs and purpose of those Votes. Therefore desire His Excellency to pass absolutely thereon, according to the constant usage and practice ever since the present happy Constitution. Sent up." — House Journal, p. 58.

"Mr. *Secretary* brought down the following Message from his Excellency, *viz.*

Gentlemen, *I received your Message relating to the Affairs of the College, and tho' I am not obliged to give my Reasons for any manner of Signing or my refusing to Sign any Vote, Yet I think it proper so to do upon this Occasion, and therefore do now inform you, That the Limitations with which I Signed the Resolve, were agreeable to the Explanation made to me by the Council at the time of my Signing; and also agreeable to the desire and intention of the Overseers in their Address to the General Court. Wherefore I cannot consent unto those Votes upon any other Terms than what I have already done, until I have appointed another Overseers Meeting for their further Opinion in this matter.*

S. Shute. July 5th. 1722.

Voted, That that Explanation made by the Council to His Excellency seems inconsistent with their own Vote upon the Resolve, and therefore this House insist upon their desire that His Excellency pass upon it absolutely without any Proviso or Limitation. Sent up." — House Journal, p. 59.

Compare the following cases of consent by the Governor to part of a resolve or order by the General Assembly: Province Laws, ix., 215, chap. 128; 389, chap. 7.

For further action on this subject by the House of Representatives see House Journal, November 22, 1722, p. 12; December 12, 1722, p. 35; January 15, 1722–3, p. 81; Legislative Records of the Council, xi., 504, January 18, 1722–3, House and Council.

The action of the House shows that the House considered that the Governor's qualified signature "in some measure rendered ineffectual" the votes of the text. — House Journal as last cited.

[2] This is the date according to the House Journal. The Secretary enters the record on June 28, but on a later page (364) he speaks of it "as Entered June 29th."

of any other person, in any other place, Seized upon by the Indians, to Endeavour their Recovery, Or to Make Reprizalls in their Stead, and it is proposed That so far as the Sloop may be Employed in Going to Passamaquady, and in Seeking the Recovery of Said Blin & his Effects, and in her return, In Case she Come directly Back, The Sloop & the Sailors, belonging to her, as to their Wages & Provisions, be at the Charge of S^d Blyn, But as to the Time Spent in Notifying other places at the Charge of the Province; Secondly The, Committee Humbly propose Further, that for the Security of Berwick Kittery York & Wells, A Scout of Twenty men be raised, out of the Said Towns, & be kept Marching upon their Out Skirts, to be under the direction of Coll^o John Wheelwright, and that he be desired to transmitt to his Exellency an Account of their proceedings, as any thing remarkable shall Occur, and that his Exellency, be desired to Issue out his Orders Accordingly.

Jno Appleton in Behalf of the Committee

Read & the Second Article, of Twenty men to be raised &c^a only Accepted. [*Passed June 29.*

CHAPTER 77.

VOTE FOR PROVID^G WHALE BOATS.

A Message went down to the Representatives to desire that House, would Reconsider, that Article in the Committees Report, that Relates to Whale Boats, and that if the House thinks that Number too Large, they would think of a Less Number,

Legislative Records of the Council, xi., 354.

House Journal, pp. 46, 49.

In the House of Representatives Read & Reconsidered, and

Resolved, That there be Ten whale Boats, accordingly provided, by the Province.

In Council Read & Concurr'd. [*Passed June 29.*

CHAPTER 78.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAP^T JN^O WAINWRIGHTS COMP^Y.

A Muster Roll of the Company in his Majesties Service, late under the Command of Capt John Wainwright Dec^d Containing an Account of Wages due to the Said Company for their Service from August 25th 1721, to the 4th of January Following, Amo^t to the Sum of £403. 18/.

Legislative Records of the Council, xi., 355.

House Journal, p. 41.

[Read, Accepted and]

Resolved, That the Sum of Four hundred, & Three pounds & Eighteen Shillings, be allowed & paid out of the Publick Treasury, to pay and discharge the Wages due to the officers & Soldiers as Inserted in the within Muster Roll, (Save what may be due to Capt Wainwright dec^d) or the Commissary be first deducted from the persons Indebted, and made appear to be due within Sixty days from the date hereof. [*Passed June 29.*

CHAPTER 79.

RESOLVE ON ACCOMPT OF DISBURSMENTS ON SHIP FLYING HORSE.

Legislative Records of the Council, xi., 356.

House Journal, p. 50. *Ante*, p. 165, chap. 21.

AN ACCOMPT of Sundry Expences, & disbursments on the Ship Flying Horse Cp^t Peter Papillon Commander taken up for his Majesties Service; against the Pirates, Amo^t to the Sum of £419. 1. 10.

[Read, And]

Resolv^d That the Sum of Four hundred, & Nineteen pounds one Shill: & Ten pence, be allowed, & paid out of the publick Treasury to discharge this Accompt,[1] and That the Treasurer[2] be added to the Committee to take Care, that the Necessarys & Stores belonging to the Province, be returned, or accompted for when the Ship is dismiss'd.[3] [*Passed June 30.*

CHAPTER 80.

ORDER FOR A HEARING ON CONSTANT CHURCH'S PETITION.

Legislative Records of the Council, xi., 356, 356.

House Journal, p. 53.

A PETITION of Constant Church of Freetown shewing that he having Several, differences with Charles Church of the Said place, they referred the Same to Arbitrators, and Entered into Bonds of Submission accordingly, But the petitioner having Several Legal Objections ags^t their Award, refused to Submit thereto, upon which the Said Charles Church, put the Said Bond in Suit at the Inferiour Court, held at Bristoll in Aprill 1720; at which Court, the petitioner was Contrary to his Intention drawn into a Rule of Court to Submitt all the Matters in difference to the Same Arbitrators with one other person Added to them; That the Second Award of the Said Arbitrators, which was Injurious to the Petitioner, was allowed by the Said Court, & Judgment Entered up Accordingly; from which he appealed to, the Next Superiour Court for the Said County, But the Judges of the Said Court thought it not in their power to try the Same, it Being upon a Rule of Court, So that the Petitioner is without Remedy in the Law; & therefore praying, that he may be Impowered to have a New Tryall in the Law, and to make his Just objections against Several Articles, in the Said Churches Accompt, Amo^t to £154. Or Otherwise Relieved.

Read and

Ordered, That a Hearing be had on this Petition on the First Friday of the Fall Session, (Provided the partys do not accomadate their differences, in the Meantime,) And That the Petitioner Serve the adverse party, with a Copy of this Order. [*Passed June 30.*

CHAPTER 81.

RESOLVE FOR APPOINTING DEPUTY RECIEVERS OF IMPOST.

Legislative Records of the Council, xi., 357.

Resolved that Whereas the Act for Granting unto his Majesty Several Rates & dutys of Impost & Tunnage of Shipping Obliges the Importer of all Wines Liquors Goods, Wares, & merchandize, Imported

[1] The House Journal reads, "the said Accompts."
[2] "Mr. Treasurer *Allen*," in the House Journal.
[3] In the House Journal, "discharged."

into any part of this Province (Except, as in the Said Act, is Excepted) to pay Certain Rates & Dutys of Impost, Notwithstanding Which, there Are Great Quantitys of Liquors and Merchandize, Brought into the Ports or Harbours,[1] that pay no duties.[2]

House Journal, p. 49. Province Laws, ii., 246, chap. 7; 269.

Resolved That the Commiss^r of Impost Substitute & appoint meet Suitable persons Deputy Recievers in the Following Ports and Harbours, that is to Say, One in the Port or Harbour of Newbury,[3] One in the Port or Harbour of Plymouth, One in the Port or Harbour of Barnstable, One in the Port or Harbour of Kittery[4] One in the Port or Harbour of Swanzey,[5] One in the Port or Harbour of Edgar Town,[6] One in the Port or Harbour of Nantucket[7] Requiring them to take Special Care, that the Act be duely observed, and that they Inform against all Breaches of the Said Act. [*Passed June 30.*

CHAPTER 82.

ORDER FOR GRANTING TWO TOWNS ON HOUSATANNUCK RIVER.

The Following Order pass'd Both Houses on the Petitions of Joseph Parsons, & one hundred & fifteen others, & Thomas Nash & Sixty Others, Praying for a Tract of Land, belonging to this Province, on or Near Housatannuck River, Viz^t

Legislative Records of the Council, xi., 357.

House Journal, pp. 29, 48.

Ordered,

That Two Tracts of Land of the Contents of Seven Miles Square be Granted to Such of the petitioners & others as Shall be admitted by the Committee, hereafter Mentioned and as Shall Bring forward a Settlement on the Said Lands within Four years from this Present Session, The Two Tracts to be laid out by a Skilfull Surveyour, & Chain Men Under Oath according to the direction of the Said Committee, The first of Them to be laid on the River Housatannuck, adjoyning Southwardly on the divisional Line, between this Government and Connecticut, The Other adjoyning on the North of the First Tract.

That John Stoddard Esqr Henry Dwight Luke Hitchcock John Ashley & Samuel Porter Esq^rs (any three of them to be a Quorum) be a Committee to admitt Inhabitants, Grant Lots & Manage all the Prudential affairs of Said Settlers, till this Court Shall Give further Order, The Said Committee are directed hereby to Settle the Said Lands in a Compact Regular & Defensible Manner, They are further Required to admitt one hundred & Twenty Inhabitants, or Settlers into the Two Townships (Giving Preference to Such of the Petitioners as they, Judge most Likely to bring forward a Settlement,) allowing none of them more than three Years from the allotment of Said Lands, to bring forward a Settlement, By Building a Sutable House, & Tilling Such Quantity of Land, as the Committee Shall appoint, In order to their Being Entituled to their Grants, Reserving a Convenient Quantity of Land for the First Settled Minister, for the Ministry & School, The Committee are further directed to demand & recieve of each Grantee the Sum of Thirty Shillings for Each hundred Acres and Proportionably for any Lesser Quantitys, out of which Money they Shall pay a Reason-

[1] The House Journal inserts, "*within this Province.*"

[2] The House Journal adds, "*there being no Person Appointed and Commissioned to take care that the Act be complyed with, and receive such Duties.*"

[3] "*Kittery,*" in the House Journal.

[4] "*Edgartown,*" in the House Journal.

[5] "*Nantucket,*" in the House Journal.

[6] "*Newbury,*" in the House Journal.

[7] "*Swanzey,*" in the House Journal.

able Sum, to the Indians for the purchasing their Right, together with the Charge of Laying out the Two Townships, & of the Committee in Settling them, The Remainder to be Improved in Build^g of Meeting Houses in Said Townships. [*Passed June 30.*

CHAPTER 83.

VOTE FOR THE TREASURERS PROVID^G A SLOOP FOR THE SERVICE.

Legislative Records of the Council, xi., 359.

House Journal, p. 54.

Voted, That the Treasurer be directed, to take up a Sloop for the Service of this Province, to Carry Provisions &c^a for the Supply of the Forces That She be mounted with Four Swivel Guns & Manned & Victualled for the Service. [*Passed July 2.*

CHAPTER 84.

VOTE DIRECTING £300 IN MR PITKINS HANDS TO BE PAID TO LUKE HITCHCOCK ESQ^R.

Legislative Records of the Council, xi., 359.

House Journal, p. 54. *Ante*, p. 93, chap. 37.

Voted, That The Three hundred pounds remaining of the Five hundr'd pounds put in to the Hands of William Pitkin Esqr,[1] to be Exchanged for our Torn & defaced Bills in the Government, of Connecticut, be paid by him to Luke Hitchcock Esqr he Giving a Reciept for the Three Hundred pounds, & Return^g the Same into the Treasury. [*Passed July 2.*

CHAPTER 85.

RESOLVE ALLOWING PAYMENT OF COLL^O EDMUND GOFFES MUSTER ROLL.

Legislative Records of the Council, xi., 360.

House Journal, p. 45.

A MUSTER ROLL of the Company in his Majesties Service under the Command, of Coll^o Edm^d Goffe, Containing an Account of Wages, due to them for their Said Service From Febr^y 28th 1721, to April 19th 1722, Amo^t to the Sum of £204. 8. 4.

[Read, Accepted and]

Resolved That the Sum of Two hundred & Four pounds Eight Shillings & Four pence be allowed & paid out of the Publick Treasury,[2] to the officers & Soldiers, Contained in the Within Muster Roll, to discharge the Wages due to them. [*Passed July 3.*

CHAPTER 86.

RESOLVE ON THE MEMORIAL RESPECTING PHILLIP AMY'S WAGES.

Legislative Records of the Council, xi., 360.

A MEMORIAL of Nathl Knolton and Timothy Harris in Behalf, of Phillip Amy, Representing that the Wages due, to him in Capt Harmans Muster Roll, were Stopped in the Treasury, because he was

[1] From this word on the House Journal reads, "for Exchanging our torn and defaced Bills, be paid by him to *Luke Hitchcock* Esq; he giving a Receipt therefor, and returning the same into the Province Treasury."

[2] From this word on the House Journal reads, "to discharge the Wages due to the Officers and Soldiers therein."

returned as run, Whereas, The Said Phillip Amy, had a Furlow, from the Said Capt Harman,

Read &

Resolved That the Said Phillip Amy have his Wages paid him, out of the publick Treasury, till the time he recieved his Furlow from[1] Capt Johnson Harman. [*Passed July 3.*

House Journal, p. 50. *Ante*, p. 165, chap. 20.

CHAPTER 87.

RESOLVE FOR EMITTING £12,000 IN BILLS OF CREDIT, AND PROVIDING SECURITY; £6,000 IN 1734; £6,000 IN 1735; ORDER FOR RECIEVING THE TAX IN GOODS.

Resolved That The Treasurer be and hereby is directed, to Issue forth & Emitt The Sum of Twelve Thousand, pounds in Bills of Creditt, on this Province Seven Thousand pounds part thereof, is to be delivered to him by the Committee, appointed to make the Sum of Twenty Thousand pounds, by a Resolve of this Court this Session, Together with the Sum of Five Thousand pounds, the Residue thereof, which is or shall be brought into the Treasury by Taxes Duties of Impost Excise and Interest of the Loans, For the Necessary Defence & Support of the Government, & the Protection & Preservation of the Inhabitants, thereof to be Issued & disposed of in Manner Following; Viz^t.

Legislative Records of the Council, xi., 360.

House Journal, p. 51. Province Laws, ii., 278. *Infra*, chap. 88.

That the Sum of Seven Thousand Pounds part of the Aforesaid Twelve Thousand pounds, be & hereby is appropriated to and for the Supplying & Supporting & paying the Charge of Castle William, & the Other Forts & Garrisons within this Province, As Also the Soldiers, with the officers Wages, arising for their Service (Provided the Muster Rolls or any Accompt of Charge, or Expence on the Castle Forts & Garrisons Shall not be paid untill Such Muster Roll, or Accompt of Charge or Expence, hath been Examined & allowed of by this Court,) according to Such Draughts, as Shall from time to time be made upon him, by Warrant under the Hand of the Govr, with the Advice & Consent of the Council, & the aforesaid Seven Thousand pounds, be drawn out of the Treasury for the Ends & Uses, above appropriated only.

That the Sum of Four Thousand Seven hundred pounds, Part of the aforesaid Twelve Thousand pounds, be & hereby is Appropriated to and for defreying the Charges of this Government, already arisen, & for payment of all Grants, Salaries Stipends allowances Bountys & Premiums made & to be made by this Court; The Draughts to be made upon the Treasurer for any part of the aforesaid Sum, of Four Thousand Seven hundr^d pounds to be by Warrant as above Mentioned, and that the aforesaid Sum of Four Thousand Seven hundred pounds, be drawn out of the Treasury for ye Ends & uses above appropriated only.

And, that the Sum of Three Hundred Pounds being the Residue & remaining part of the Said Sum of Twelve Thousand pounds, be and hereby is appropriated for the paym^t of Expresses dispatched in the Service of this Government, together with all other Necessary & unforeseen Charges, arising in the Recess of this Court, that demands Prompt Payment, Provided Always, that the Several, Draughts made upon the Treasurer do Express & declare out of which Appropriated Sums the Money is to be paid; and the Said Bills Shall, pass out of

[1] "His Captain," in the House Journal, instead of what follows.

the Treasury at the Value therein Expressed, Equivalent to Money, And Shall be So taken & accepted in all Publick payments;

And that the dutys of Impost & Excise Shall be a fund and Security for the Repayment, & drawing in the Said Bills into the Treasury again, So far as that Will Reach.

And as a further Fund & Security for the Same, It is further

Resolved, That there be and hereby is Granted to his Most Excellent Majesty, for the Ends & Uses aforesaid, & No other Ends and Uses Whatsoever, A Tax of Six Thousand pounds, to be Levied upon Polls & Estates, Both Reall & Personall, within this Province according to Such Rules, and in Such Proportion upon the Several Towns, & districts within the Same, as Shall be agreed on & Order'd by the Great & General Court or assembly at their Session, in May one Thousand Seven hundred & Thirty Four & paid into the Treasury on or before the last day of December Next after, And That the Further Sum of Six Thousand pounds, being the Remainder of the aforesaid sum of Twelve Thousand pounds, be Levied upon Polls & Estates both Reall & Personall within this Province, according to Such Rules, & in Such Proportion upon the Several Towns & districts within the Same, as Shall be agreed on & ordered by the Great & General Court, or assembly of this Province, at their Session in May One Thousand Seven hundred & Thirty Five, & paid into the Treasury on or before the Last day of December Next after; And, Whereas through the Scarcity of Bills of Credit, It may then be difficult for persons to Convert the produce of their Lands into Bills, & pay their Rates in them; It is further

Ordered, That the Inhabitants of this Province Shall have full Liberty, (if they See fitt) to pay the Several Sums that Shall be on them Respectively Assessed, in the Several Species hereafter Mentioned, at Such Moderate Rates & Prices, As the Great & General Assembly Shall Set them at; Viz^t in Good Bll: Beef & Pork, Wheat, Barley, Rye, Indian Corn, Oats, Flax, Hemp, Beeswax, Pease, Butter in Firkins, Cheese, Hides, Tann^d Leather, Dry Fish, Mackrell in Blls, Oyl, Whale Bone, Bayberry Wax, Tallow, Pitch, Tar, & Turpentine; which Species Shall be recieved by the Treasurer, of the Several Constables or Collectors & by him disposed of to the Best advantage, for the Calling of the S^d Bills into the Treasury again, and if any Loss Shall happen by the Sale, of the aforesaid Species, or any other unforeseen Accident, Shall Arise, That Such Deficiency Shall be made Good by a Tax of the Year Next following, So as fully & effectually to Call in the whole Sum of Bills Emitted as aforesaid. [*Passed July 3.*

CHAPTER 88.

RESOLVE FOR MAKING £20,000 IN BILLS OF CREDIT.

Legislative Records of the Council, xi., 362.

House Journal, p. 56. *Supra*, chap. 87.

Resolved. That the Committee, who made the last Bills of Credit on this Province be desired & directed to Print off & Finish (as Soon as may be) The Sum of Twenty Thousand Pounds, Fifteen Thousand pounds from the Plate of the Highest Denomination, & Five Thousand pounds the Remainder thereof from the Plate of the Middle Denomination, & deliver the Same to the Province Treasurer taking his Reciept for them; Seven Thousand pounds thereof to be Issued for the Service of the Province, according to a Resolve of this Court, at their present Session, The Remaining Thirteen Thousand pounds to be kept in his hands untill Further Order, The Committee to be paid for their Service, as for the Bills last made. [*Passed July 3.*

CHAPTER 89.

RESOLVE ALLOWING £1. 8 TO THO^S LORING.

An Accompt of Thos Loring for Billeting John Murphey, a Soldier in the Service from Decr 28th to Jany 26th 1721, Amo^t to £1. 8/.

[Read, Accepted and]

Resolved

That the Sum of One pounds[1] Eight Shillings be allowed & paid out of the publick Treasury to Mr Thos Loring in full discharge of the above Accompt. [*Passed July 3.*

Legislative Records of the Council, xi., 363.

House Journal, p. 55.

CHAPTER 90.

RESOLVE ALLOWING £3. 9. 1 TO MAJOR JOHN CHANDLER.

An Accompt Presented by Major John Chandler, of the Charge, occasioned by John Blins uttering Counterfeit Bills of Credit

Read [Accepted] &

Resolved That the Sum of Three pounds Nine Shillings & 1 penny[2] be allowed and paid out of the Publick Treasury to Mr John Chandler in full discharge of the within Accompt. [*Passed July 3.*

Legislative Records of the Council, xi., 363.

Executive Records of the Council, vii., 317. House Journal, pp. 54, 55.

CHAPTER 91.

RESOLVE GRANTING HUMPHREY CHADBURNES PETITION FOR POWDER AND AMMUNITION.

A Petition of Humphrey Chadburne, Representative of the Town of Berwick, praying that in Consideration of the Said Towns being a Frontier & Lying Exposed to the Insults of the Indians, they may be allowed a Barrell, of Powder and other Ammunition, Proportionable out of the Publick Stores

Read [accepted] &

Resolved That the prayer of the Petition be Granted, & That Capt Humphrey Chadburne Give the Treasurer a Reciept for them. [*Passed July 3.*

Legislative Records of the Council, xi., 363.

House Journal, p. 54.

CHAPTER 92.

VOTE CONTINUING THE HEARING ON Y^E PETITION OF CHARLESTOWN N^O INHABITANTS.

The Petition of the Inhabitants of Charlestown, on the North Side of Mistick[3] River, Praying to be Sett off to Malden,

[Read again, and]

Voted That, the above Hearing be Continued, to the Second Friday in the Next Session. [*Passed July 3.*

Legislative Records of the Council, xi., 363.

House Journal, p. 54. *Ante*, p. 110, chap. 16.

[1] *Sic.*

[2] The House Journal from this word on reads, "(part of the within Accompt, arising for Charges in sending Expresses after and securing one *John Blin*, and attending the Court when he was Tryed) be paid out of the Publick Treasury to the Accomptant *John Chandler*, and that the Horses in his hands, be returned to said *Blin*, he paying the Charge of their keeping."

[3] The record here erroneously reads, "Medford." The petition reads, "Mistick."

CHAPTER 93.

RESOLVE ALLOWING £35. 16. 4 TO BAT: GREEN.

Legislative Records of the Council, xi., 363.

House Journal, p. 55.

AN ACCOMPT presented, by Bartholemew Green of paper And Printing, for the Government in the Year 1721, Amo^t to the Sum of £35. 16. 4. [Read, Accepted, And]

Resolved

That the Sum of Thirty Five pounds Sixteen Shillings & 4^d, be allowed & paid out of the publick Treasury to Bartholemew Green the Accomptant in full discharge, of this Accompt. [*Passed July 3.*

CHAPTER 94.

RESOLVE ALLOWING £2. 13. 4 TO JOHN LARRABEE PER MONTH.

Legislative Records of the Council, xi., 364.

House Journal, p. 56.

A PETITION of John Larrabee a Sergeant at his Majesties Castle William, Praying, That in Consideration of his Long & faithfull Services there and the dearness of all Kinds of Cloathing, This Court would make some, addition to his Wages; Read &

Resolv'd[1] that John Larrabee Sergeant of the Castle be allowed Two pounds Thirteen & Fourpence p^r month in Consideration of his past Services to Continue till the further Order of this Court. [*Passed July 3.*

CHAPTER 95.

RESOLVE ABOUT THE WAGES OF SERVANTS & SONS UNDER AGE.

Legislative Records of the Council, xi., 364.

House Journal, pp. 42, 43.

WHEREAS it often happens, that Servants & Sons Under Age, Impressed into his Majesties Service dye before the Wages for Such Service is paid By Means whereof the Parents Or Masters of Such deceased Soldiers Cannot Unless with Great difficulty, Obtain the Wages due for Such Service,

Resolved That when & So often as any Servant or Son Under Age, having been Employed in his Majesties Service, Shall Dye before the Muster Roll is pass'd or the Wages due for Such Service is paid, That then and in Such Case, A Certificate, under the Hand of the Coll^o or Cheif officer of the Regiment where Such Soldier was Impressed, Setting forth, whose Son Or Servant he was, Shall be Sufficient to Oblige the Province Treasurer, to pay unto Such parent or Master the wages due, as aforesaid,[2] Any Law Usage or Custom to the Contrary notwithstanding. [*Passed July 3.*

[1] From this word on the House Journal reads, "That Serjeant *Larabe* in consideration of his past Services be allowed £2. 13. 4 per Month, till the further Order of this Court."

[2] The House Journal for "as aforesaid," has, "for such Deceased's Service."

CHAPTER 96.

RESOLVE ALLOWING £10. 7 TO DISCHARGE JOHN CHANDLER & JOHN PEIRPOINTS ACCO^{T}.

An Accompt Presented by John Chandler J^{r} & John Peirpoint, of Bringing John Blyn from Hartford to Boston, to be tried for Counterfeiting the Bills of Creditt, Amo^{t} to the Sum of £10. 7/. [Read, Accepted. And]

Legislative Records of the Council, xi., 364.

House Journal, p. 55.

Resolved That the Sum of Ten pounds & Seven Shillings be allowed & paid out of the Publick Treasury[1] to John Chandler & John Peirpoint, to discharge the S^{d} Accompt, and that the Sum of Ten pounds Seven Shillings, together with the Sum of three pounds Nine Shillings & one penny, Ordered to be paid by the Publick Treasurer to Coll^{o} Chandler on Acco^{t} of Said Blyns tryall, be added to the Bill of Cost for prosecuting Said Blyn to be paid by him, & returned into the Treasury (as the Usage and Custom has always been) before he be discharged. [*Passed July 3.*

Ante, p. 193, chap. 90.

CHAPTER 97.

RESOLVE ON MEMORIAL OF Y^{E} COMMITTEE FOR Y^{E} REPAIRS AT CASTLE WILLIAM.

A Memorial of William Dummer Esqr &c^{a} a Committee appointed to take Care of the Repairs of Castle William, Shewing that there is due to Samuel Thaxter Esqr for Plank & Timber Supplied for Said Works, the Sum of £199. 2. 4 and, that the Further Sum of £250 will be Necessary to Carry on their Work there according to the Order of the Court;

Legislative Records of the Council, xi., 365.

House Journal, p. 55.

Ante, p. 36, chap. 75; p. 115, chap. 32.

Read [accepted] &

Resolv'd That the Sum of One hundred & Ninety Nine pounds, Two Shillings & Four pence be allowed & paid out of the Publick Treasury, to Sam^{ll} Thaxter, for Plank & Timber, Supplied, and that the Sum of Two hundred & Fifty pounds be allowed & paid out of the Publick Treasury to the Committee, for the Ends & Uses aforesaid. [*Passed July 3.*

CHAPTER 98.

RESOLVE DIRECTING THE TREASURER TO SUPPLY STORES FOR CASTLE WILLIAM.

An Indent presented by William Barnsdale Gunner of his Majesties Castle William, of Sundry Stores Wanting at Castle; Read and

Legislative Records of the Council, xi., 365.

Resolved, That the Treasurer be directed to Supply William Barnsdale, with the above Said Stores for the Use of the Castle. [*Passed July 3.*

House Journal, p. 56.

[1] The House Journal from this word on reads, "together with the Sum of £3. 9. 1 Ordered to be paid by the Public Treasurer to *John Chandler* Esq; on account of said *Blins* Tryal, be added to the Bill of costs for prosecuting said *Blin* to be paid by him and returned into the Treasury as the Usage and Custom has always been, before he be discharged."

CHAPTER 99.

ORDER RESPECTING WATERTOWN MEETING HOUSES & MR ROBERT STURGEON.

Legislative Records of the Council, xi., 365.

House Journal, p. 56.

Ante, p. 48, chap. 106.

A PETITION of Jonas Bond Esqr &c^a a Committee, for the Town of Watertown, praying that this Court would take Some proper & Effectuall Method, for the putting in Execution, the Orders of the General Assembly, Relating to the Removall & Setting off the Meeting Houses, in the Said Town,

In the House of Representatives,

[Read and]

Ordered, That Mr Cook Mr Fulham, Mr Dudley & Mr Remington, be a Committee to Repair to, Watertown in the recess of the Court, and Enquire, into the Grounds & Reasons, of The Proprietors designed Endeavours to Pervert the Resolves & Orders of this Court, pass'd at a Session in Novr 1720, Relating to the dividing of the Town into two Precincts, & their Getting Mr Robr^t Sturgeon Privately Ordained in Boston, & to be Installed in Watertown, and take upon him the Pastorall Care of the Members of the pretended Church in Watertown, Contrary to the Good orders of the Churches here, And why he Continues to preach there, having been forbid by Two Councils of Churches, his disorderly Carriage in that affair, if not Seasonably prevented, may be very prejudicial to the Constitution & break in upon the peace of the Churches and make report to this Court, what they think proper to be done at the Next Session of this Court, And That Mr Robert Sturgeon forbear preaching in Watertown in the Meantime.

In Council, Read & Concurred, &

Ordered, That Samuell Sewall Jonathan Dowse & Spencer Phips Esq^rs be added to the Committee. In the House of Representatives Read & Concurr'd. [*Passed July 3.*

CHAPTER 100.

RESOLVE ALLOWING £4. 1. 6 TO STEPHEN HARDING.

Legislative Records of the Council, xi., 368.

House Journal, p. 55.

AN ACCOMPT Presented by Stephen Harding, of Ferryage of Soldiers, over Kennebeck River, in the Year 1720, & 1721, Amo^t to the Sum of £4. 1. 6.

[Read, Accepted And]

Resolved, That the Sum of Four pounds, One Shilling & Six pence, be allowed and paid out of the Publick Treasury, to Mr Stephen Harding in full discharge, of the above Accompt. [*Passed July 3.*

CHAPTER 101.

RESOLVE ALLOWING £30 TO DR EBENEZER ALLEN.

Legislative Records of the Council, xi., 368.

House Journal, p. 55.

AN ACCOMPT Presented by Ebenezer Allen of his Service, as Surgeon of the Forces Eastward, & the Charge of Medicines, &c^a from March 15th 1721, to June 28th 1722, Amo^t to the Sum of £30.

[Read, Accepted, And]

Resolv[d] That the Sum of Thirty pounds be allowed & paid out of y[e] publick Treasury to D[r] Ebenezer Allen, in full discharge of the within Accompt.[1] [*Passed July 3.*

CHAPTER 102.

RESOLVE ALLOWING £2 TO D[R] JOS: PIERCE.

An Accompt of Joseph Peirce of Reducing a dislocation of Joshua Tobys Arm, being a Soldier in the Service Amo[t] to £2. Legislative Records of the Council, xi., 370.

[Read, Accepted, And]

Resolved That the Sum of Two pounds be allowed, & paid out of the publick Treasury, to M[r] Joseph Peirce in full discharge of this Accompt. House Journal, p. 55. [*Passed July 5.*

CHAPTER 103.

ORDER ON PETITION OF THE TRUSTEES FOR IPSWICH FREE SCHOOL GRANTING THEM LEAVE TO BRING FORWARD A DEFECTIVE APPEAL.

A Petition of John Wainwright Esq[r] &c[a] Trustees for the Free School at Ipswich, Shewing that at the Inferiour Court for the County of Essex, held in March last, they Commenced an Action against Sarah Cogswell, and that Judgment went against them for Costs, from which Judgment they Appealed to the Superiour Court for Said County held in May last and filed their Reasons of Appeal in due time, But through the Neglect of the Clerk of the Inferiour Court, in Not Endorsing the time of his reciept of them, their Appeal was Quashed and not allowed to proceed, and therefore praying this Court, to order their Appeal to proceed, as if there had been no Such Omission, or that the Clerk might be Enabled to Set his hand the Omission Notwithstanding, or Otherwise to relieve the Petitioners as Shall Seem Meet. Legislative Records of the Council, xi., 366. House Journal, pp. 40, 59. *Infra*, chap. 104.

[Read and]

Ordered That the Petitioners be Enabled to bring forward, & prosecute their Appeal, at the Next Superiour Court of Judicature, to be holden in the County of Essex; and that the Justices of the Said Court be Impowered & directed, to try the Same, the Omission of the Clerk of the Inferiour Court in Not Signing the Reasons of appeal, or any Law Usage or Custom to the Contrary Notwithstanding. [*Passed July 5.*[2]

CHAPTER 104.

ORDER ON MEMORIAL OF THE TRUSTEES OF IPSWICH FREE SCHOOL FOR LEAVE TO PROCEED TO TRIAL OF THE MERITS OF AN ACTION STOPT BY A PRETENDED CLAIM.

A Memorial of John Wainwright Esq[r] &c[a] Trustees for Ipswich Free School, Shewing that they Commenced an Action against Sarah Cogswell, at the Inferiour Court held for Said County in March last, Legislative Records of the Council, xi., 367.

[1] The House Journal (differing verbally in regard to the last clause) adds, "pursuant to the Agreement he made with this Government."

[2] The date here given is taken from the House Journal. The Secretary enters the order as of July 3; but as final action was taken by the House, the House Journal is probably correct.

House Journal, pp. 40, 58. *Supra*, chap. 103.

Who by Several Arts & Subterfuges, did prev[t] the Action from Coming to a Jury Especially by Setting up a pretended Lease of the Lands Sued for, praying that Notwithstanding the Said Lease, they may be Empowered to proceed to a Tryall of the Merits of the s[d] Cause,.

[Read and]

Resolved, That Sarah Cogswell Widow, whom the Petitioners alledge to be in [1] possession of Certain Lands, belonging to Said School, & who was defendant in the Cause Mentioned in the Said Petition, be Served with a Copy thereof in Order to her Making, Answer & Assigning her Reasons (if any she have) upon the Second Tuesday of this Court, in their Next Session Why the Prayer of the Said Petition Should not be Granted. [*Passed July 5.*[2]

CHAPTER 105.

ORDER ON JAMES & SUSANNAH HABBERSHAMS PETITION COMPLAINING OF A JUDGMENT.

Legislative Records of the Council, xi., 371.

House Journal, p. 59.

A PETITION of James Habbersham, & Susannah Habbersham, (formerly Susannah Copestock, Widow) Praying that they may be Impowered to have a Trial of a Cause that went ags[t] her, by Default in January 1710, in which Susannah Vile was Plantiff or that She may be heard before this Court, & have Liberty to Shew forth the Reasonableness & Equity of her Request.

Read &

Ordered That the Petitioners Serve the Adverse Party with a Copy of this Petition, that So he [3] may Answer thereto, (if he [3] See Cause,) on the Second Tuesday of the next Sessions. [*Passed July 5.*

CHAPTER 106.

VOTE ALLOWING THE COUNTY TREASURER OF SUFFOLK HIS ACCO[T].

Legislative Records of the Council, xi., 371.

House Journal, p. 60.

AN ACCOMPT of Samuel Checkley Esq[r] Treasurer of the County of Suffolk for the Year 1721, having been Inspected by the Court of General Sessions of the Peace, for the S[d] County, & by them allowed & approved of.

Read & allowed. [*Passed July 6.*

CHAPTER 107.

VOTE ON NORTHFIELD PETITION IN REGARD TO THE GARRISON.

Legislative Records of the Council, xi., 371.

House Journal, p. 60.

Voted,

That the Soldiers at Northfield be directed to Garrison one or more of the most Suitable Houses there for their Security, and that it be recommended to the Inhabitants, to Assist them with their Teams. [*Passed July 6.*

[1] The House Journal omits, "whom the Petitioners alledge to be in."

[2] The Secretary enters this resolve as of July 3; but the House Journal shows that it was sent up for concurrence on July 5. As the action in this matter and that of the chapter just preceding appear to have gone on together, the date of final action in the present instance is made the same as in that of the preceding, the date of which is given by the House Journal.

[3] *Sic.*

CHAPTER 108.

VOTE FOR CALL^G A TOWN MEETING AT RUTLAND.

Voted That Capt Samuel Wright be Authorized & Impowered, to Call a Meeting of the Proprietors, & other, Inhabitants of the Town of Rutland, Qualified by Law, on the last Monday of this July Curr^t, then to chuse Town officers, to Serve, till the General Meeting in March Next. [*Passed July 6.*

Legislative Records of the Council, xi., 371.

House Journal, p. 60.

CHAPTER 109.

RESOLVE ALLOWING £25 TO MATTHEW SHORT, MINISTER OF BIDDEFORD.

Resolved that the Sum of Twenty Five pounds, be allowed & paid out of the Publick Treasury to Mr Matthew Short, the Minister of Biddeford in full of his past Service. [*Passed July 6.*

Legislative Records of the Council, xi., 372.

House Journal, p. 60.

CHAPTER 110.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SHIP FLYING HORSE CAP^T PETER PAPILLON.

A Muster Roll of the Company on board the Ship Flying Horse, Cp^t Peter Papillon Commander, Containing an Acco^t of Wages due to them for their Service, being Sent in Quest of a Pirate Vessell, Amo^t to the Sum of £202. 12. 8.

[Read and]

Resolved,

That the Sum of Two hundred & Two pounds Twelve Shillings & Eight pence be allowed & paid out of the Publick Treasury to Cp^t Peter Papillon, to discharge the Wages due to the officers & Sailors. [*Passed July 6.*

Legislative Records of the Council, xi., 372.

House Journal, p. 60.

CHAPTER 111.

RESOLVE ALLOWING £500 TO THE JUDGES.

Resolved That the Sum of Five hundred pounds, be allowed & paid out of the publick Treasury, to The Honb^le the Judges of the Superiour Court, of Judicature, in Proportion to the Courts they attended the Year past. [*Passed July 6.*

Legislative Records of the Council, xi., 372.

House Journal, p. 61.

CHAPTER 112.

RESOLVE ALLOWING £250 TO THE TREASURER.

Resolv^d That the Sum of Two hundred & Fifty pounds, be allowed and paid out of the publick Treasury to Jeremiah Allen Esqr Treasurer of this Province for his Service the Year past. [*Passed July 6.*

Legislative Records of the Council, xi., 373.

House Journal, p. 61.

CHAPTER 113.

RESOLVE ALLOWING £20 TO W^M PAYNE ESQ^R CLERK OF THE HOUSE.

Legislative Records of the Council, xi., 373.

House Journal, p. 61.

In the House of Representatives;

Resolv^d That the Sum of Twenty Pounds be allowed, & paid out of the Publick Treasury to William Payne, Clerk of this House, in part of his Service for the Year Currant.

In Council Read & Concurr'd. [*Passed July 6.*

CHAPTER 114.

RESOLVE ALLOWING £25 TO JOHN FLAGG DOORKEEPER.

Legislative Records of the Council, xi., 373.

House Journal, p. 61.

Resolved That the Sum of Twenty Five pounds be allowed & paid out of the publick Treasury to John Flagg Doorkeeper, to his Exellency the Govr & this Court, for his Service half a Year Ending the Twenty Sixth, of June past. [*Passed July 6.*

CHAPTER 115.

RESOLVE ALLOWING £1. 10 TO JOHN FLAGG.

Legislative Records of the Council, xi., 373.

House Journal, p. 61.

AN ACCOMPT of John Flagg Doorkeeper, for Tending the Clocks & Money Expended by him for the Court Amo^t to the Sum of £4. 10/.

[Read and]

Resolved That the Sum of One pound & Ten Shillings be allowed and paid out of the Publick Treasury to John Flagg Doorkeeper, in full of his Said Accompt. [*Passed July 6.*

CHAPTER 116.

VOTE ON THE COMMITTEES REPORT ABOUT THE EASTERN AFFAIRS.

Legislative Records of the Council, xi., 352, 373.

Legislative Records of the Council, xi., 278, 330, 331, 338. House Journal, p. 46. *Ante*, p. 111, chap. 21; p. 143, chap. 110.

IN OBEDIENCE to the Order of the Court, directing us to meet, & Consider what is proper, to be done on the affairs of the Indians, The Committee Humbly propose as follows, First that his Exellency be desired to Give direction to the Commanding officer, that a Suitable Number of the Forces, Not Less than one third part, be Constantly Employed, to make discovery of the Indians & to Observe, their Motions, & to acquaint themselves, with their Fishing & Carrying places and to Sieze upon & take into Custody Such of the Indians as they Can Meet, with, to the Number they may understand the Indians have taken of ours, & that they Consult & put in Execution, the Best Methods possible, for seizing Sebastian Ralle, the Jesuit, and that they Send Such as they take to Boston, p^r the First opportunity, and in Case the Indians make forcible Resistance, then to Repell Force by Force and that the S^d Marching Forces be obliged once a Month, to make return of their proceedings to his Exellency the Govr.

Secondly, that Commissioners be appointed, to deliver the present Ordered by this Court, at their Session in August last, (with Such

Further addition as this Court Shall think proper to be made) to the Five Nations, to renew the Ancient Amity between the Government & those Tribes, That the Commissioners be particularly Instructed, to Represent to the Cheifs of those Tribes how perfidiously, many of his Majesties Subjects, have been treated by those Eastern Indians Called Abenaquois, In the Repeated Insults & Acts of Hostility by them Committed, Contrary to their Many Solemn Covenants and Engagements, Yet Notwithstanding the Government hath hitherto Continued to use all Manner of Gentleness towards them, and have thought fit, before they proceed to do Justice upon them, to Represent these abuses to the Irequois, who are the most Considerable Tribes of the Natives, & who have a Great Influence on the other Indians, & to desire & Engage the Continuance of their Friendship with us, that in Case the Said Indians Should by Repeated & Insufferable Insults, Bring things to Extremity, The Said Irequois would Join with us, in reducing them to a Good & peaceable Behaviour for the future, And, That his Exellency be desired to write to the Govr of New York, to acquaint him with our purpose, to make a present to the Five Nations, and to desire him, to Give his Countenance thereto, and his directions for Assembling their Cheifs at Albany, as Soon as their distance will allow, Thirdly That ten Whale Boats with Very Good Oars, be provided, & Sent to the Forces for the Enabling them to manage a Sufficient Scout,

Fourthly that In Case Tidings Should Arrive, of the Indians falling, upon any of our Settlements, & killing the people, Wee Apprehend it Necessary, that Two hundred Men besides those, already Voted, or more, as the Necessity of the Case may Require, be added as Soon as may be, to the Forces, for Effectually prosecuting, the Indian Rebells.

Fifthly, that a Sloop be taken into the Province Pay for Transporting, Men and Provisions, from place to place, as Need Requires, Which is What at Present offers & is humbly Submitted,

John Appleton by Order of the Committee

In the House of Representatives, Read paragraph By Paragraph, and all the Articles pass'd in the Negative, Except the fourth Article, of adding Two hundred Men, to those already there, in Case &c^a

In Council Read & Concurr'd with the Acceptance, of the Fourth Article of this Report. [*Passed July 6.*

CHAPTER 117.

RESOLVE ALLOWING £60 TO THO^S BAKER & JOSEPH KELLOG.

A Petition of Thomas Baker & Joseph Kellogg, Praying Some proper allowance for their time and Expences, in Going Express to Canada, with the Letters of the Government, in April last,

Legislative Records of the Council, xi., 373.

[Read and]

House Journal, p. 62.

Resolved, That, the Sum of Sixty pounds, be allow'd and paid out of ye publick Treasury to the Memorialists, Thos Baker & Joseph Kellogg, Thirty pounds to Each of them in full of their Charges & Expences, in Going to Canada & returning thence. [*Passed July 7.*

CHAPTER 118.

RESOLVE ALLOWING £4. 17 TO JOS: MARION.

Legislative Records of the Council, xi., 374.

House Journal, p. 62.

AN ACCOMPT presented by Joseph Marion of Writing done for the publick at the last & this Present Session, Amo^t to the Sum of £4. 17/.

[Read, and]

Resolv^d That the Sum of Four pounds, Seventeen Shillings, be allowed and paid out of the publick Treasury, to Jos: Marion, in full of the above Accompt. [*Passed July 7.*

CHAPTER 119.

VOTE ACCEPTING REPORT OF ACCO^T OF DISBURSMENTS FOR REPAIRING CASTLE WILLIAM.

Legislative Records of the Council, xi., 374.

House Journal, pp. 54, 62.

Ante, p. 195, chap. 97.

AN ACCOMPT presented by William Dummer Esqr Edward Hutchinson Esqr & Capt Joseph Wadsworth of Sundry disbursments, for Securing the East & West Heads of Castle Island &c^a & of Moneys, Rec^d for that Service,[1]

Read & Accepted. [*Passed July 7.*

CHAPTER 120.

RESOLVE ALLOWING £2. 6 TO BENJ^A ROLFE & SAM^LL TYLEY.

Legislative Records of the Council, xi., 374.

House Journal, p. 62.

AN ACCOMPT Presented By Benj^a Rolfe & Samuel Tyley of Writing done for the publick, in the Years 1720 & 1721, Amo^t to £3. 4/.

[Read, and]

Resolved, That the Sum of Two pounds & Six Shillings, be allowed & paid out of the publick Treasury, to the Accomptants, Samuel Tyley & Benj^a Rolfe in full of the above Accompt. [*Passed July 7.*

CHAPTER 121.

RESOLVE ALLOWING £5. 11 TO W^M CLARK.

Legislative Records of the Council, xi., 374.

House Journal, p. 62.

AN ACCOMPT Presented By William Clark of disbursments in the publick Buisiness, amo^t to the Sum of £5. 11/.

[Read, and]

Resolved. That the Sum of Five pounds & Eleven Shillings, be allowed, And paid out of the publick Treasury to Mr Wm Clark to discharge the above Accompt. [*Passed July 7.*

[1] In the House Journal the amount expended and the balance in hand are stated.

CHAPTER 122.

RESOLVE ALLOWING £6. 12 TO COLL° JOSEPH BUCHMINSTER.

An Accompt Presented by Lieu^t Coll° Joseph Buckminister, of Subsisting Twelve, Soldiers, Impressed for his Majesties, Service Eastward, In June last, Amo^t to the Sum of £6. 12/.

Legislative Records of the Council, xi., 374.

House Journal, p. 62.

[Read, and]

Resolved

That the Sum of Six pounds & Twelve Shillings be allowed & paid out of the publick Treasury, to Coll° Joseph Buchminster in full of the above Accompt. [*Passed July 7.*

CHAPTER 123.

RESOLVE ALLOWING £38. 12 TO DR GEORGE PEMBERTON.

An Accompt Presented by George Pemberton, of Medicines & attendance, on the Garrison, at his Majesties Castle William, from March 2^d to June 10th 1722, Amounting to the Sum of £38. 12/.

Legislative Records of the Council, xi., 374.

House Journal, p. 62.

[Read, Accepted, And]

Resolved,

That the Sum of Thirty Eight pounds & Twelve Shillings be allowed & paid out of the publick Treasury, to Dr George Pemberton, in full of the above Accompt. [*Passed July 7.*

CHAPTER 124.

VOTE CONTINUING PETITION OF JOHN USHER ESQ^R.

A Petition of John Usher Esqr, Shewing that having Mortgaged a Considerable part of his Estate to the Trustees of the £50,000 Loan for Five hundred pounds by him taken Up of the Said Money, & having failed to pay the Same, The Said Trustees, have put in Suit his Mortgage, & praying in Consideration of his past Services, to the Province, that the Said Mortgage may be declared, Discharged, Or that he may be otherwise relieved, & rewarded, as to this Court may Seem Meet.

Legislative Records of the Council, xi., 375.

House Journal, pp. 44, 62.

Read & Continued to the Next Session, &

Resolved, That all Process on the Mortgage, be Stopped in the mean time. [*Passed July 7.*

CHAPTER 125.

RESOLVE ALLOWING £13. 2. 5 TO EDW^D WINSLOW.

An Accompt Presented, By Edward Winslow, Esqr of the Repairs, of the Gov^rs House, in the Year 1721, Amo^t to the Sum of £13. 2. 5.

Legislative Records of the Council, xi., 375.

[Read and]

House Journal, p. 11.

Resolv[d] That there be allowed & paid out of the Publick Treasury to Edward Winslow Esq[r] Sherriff, the Sum of, Thirteen pounds Two Shillings, & Five pence in, full, discharge of the Said Accompt.[1] [*Passed July 7.*

Legislative Records of the Council, xi., 376.

Executive Records of the Council, vii., 375. House Journal, p. 64. Love's Fast and Thanksgiving Days of New England, p. 490.

CHAPTER 126.

VOTE FOR A PUBLIC FAST.

Voted, That his Exellency, the Gov[r] be desired, to Issue out a Proclamation for the Appointing a day of Publick Fasting & prayer as Soon as may be, to be solemnized, throughout this Province. [*Passed * July 7.*

CHAPTER 127.

VOTE FOR A PRESENT & MESSAGE TO THE FIVE NATIONS.

Legislative Records of the Council, xi., 376.

Executive Records of the Council, vii., 375. House Journal, p. 46. *Ante*, p. 200, chap. 116. *Infra*, chap. 128.

Voted, That a Present, of One Thousand pounds, Value, be made to the Five Nations, & delivered by Commissioners, appointed to Renew, the Ancient Amity, between this Government & those Tribes, That, the Commissioners be particularly Instructed to Represent to the Cheifs of those Tribes, How perfidiously many of his Majesties Subjects, have been treated, by those Eastern Indians Called Abenequoiss, in their, Repeated Insults and Acts of Hostility, by them Committed, Contrary to, their Many Solemn Covenants & Engagements, Yet Notwithstanding this Government, hath hitherto, Continued to use all manner of Gentleness towards them, & have thought fitt before they proceed to do Justice upon them, to Represent these abuses to the Irequois, who are the most Considerable Tribes of the Natives, & who have a Great Influence, on the Other Indians and to desire & Engage the Continuance of their Friendship with us, That in Case the Said Indians, should by Repeated, & Insufferable Insults, bring things to Extremity, The Said Irequois, would Join with us, in reducing them to a Good & peaceable Behaviour, for the future, [The Commissioners are directed to Signify to those Tribes, That, if Some of their Cheifs thought fit to proceed on a Visit to Boston it will be Acceptable to the Government,] And that his Exellency, be desired first to write, to the Gov[r] of New York, to Acquaint him with our purpose to make a Present to the Five Nations, & to desire him to Give his Countenance thereto & his directions for Assembling the Cheifs at Albany, As Soon as their Distance, will allow.[2] [*Passed July 7.*

[1] In the House Journal this resolve appears in a slightly different form.

[2] According to the Secretary's record and the State Library copy the foregoing was passed in the House of Representatives and concurred in by the Council. But that, it seems, is a mistake. The vote here printed, after the first few lines (beginning with the words "to renew the Ancient Amity," except the words in brackets), was one of the rejected clauses (the second) of the vote of July 6 (*ante*, pp. 200, 201). The vote actually passed in the House of Representatives was passed on July 5, and concurred in by the Council on July 7. That vote was as follows, and should have been entered by the Secretary instead of the one here printed from the Secretary's records:—

"In the House of Representatives.

Voted, That Commissioners be appointed to deliver the Present Ordered by this Court at their Sessions in *August* last, to be made to the Five Nations, to renew the Ancient Amity between this Government and those Tribes. That the Commissioners be particularly instructed to represent to the Chiefs of those Tribes how perfidously many of His Majesty's Subjects have been treated by those Eastern Indians called *Abnequois* in the repeated Insults and Acts of Hostility by them committed contrary to their many solemn Covenants and Engagements, yet notwithstanding this Government hath hitherto continued to use all manner of gentleness towards them, and have thought fit before they proceed to

CHAPTER 128.

VOTE FOR COMMISSIONERS TO THE FIVE NATIONS.

In Council,

Ordered

That William Tailer & Spencer Phips Esq^rs^ with Such as the Honble House of Representatives shall Join Be Commissioners, to proceed, with the present of this Court to the Five Nations, In the House of Representatives Read and Concurr'd, and

Voted, that Elisha Cook & John Stoddard Esq^rs^ be added to them, I Consent to this, Vote, with the Commissioners, Excepting Elisha Cook Esqr.[1] [*Passed July 7.*

Legislative Records of the Council, xi., 376.

House Journal, p. 64. *Supra*, chap. 127. *Infra*, chap. 129.

CHAPTER 129.

SECOND VOTE AB^T^ SENDING TO THE FIVE NATIONS &c^A^.

Voted, That his Exellency be desired to Send one of the Commissioners, (to be appointed to treat with the Five Nations) or Some other Suitable Messenger, with his Letters to his Exellency Govr Burnett, together with Minutes of Articles, on which wee propose to treat, with those Tribes and That Govr Burnett be desired, to let the Messenger know his Resolution, on that affair, and in Case he Shew a Readiness, to assemble the Cheifs, of those Nations at Albany, and to Encourage them to Comply, with our proposalls, That then the Govr be desired, to Hasten, their Coming to Albany, where the Commissioners shall meet with them; and deliver the Present already there, & So much more as Shall amount, to the Value of One Thousand pounds; But if otherwise, That Some Effectual method, be taken, for the delivery of the Present, of One Thousand pounds, to the Five Nations in Some proper place, within this Government, as Soon As may be.[2] [*Passed July 7.*

Legislative Records of the Council, xi., 377.

Supra, chap. 128. *Infra*, chap. 130.

CHAPTER 130.

VOTE APPOINTING A COMMITTEE OF BOTH HOUSES TO PREPARE THE MESSAGE & PRESENT TO THE FIVE NATIONS.

In Council, his Exellency Acquainting, the Board, that he Expected by the return of the Post, an Answer from Govr Burnett, with respect to the Present Intended to the Five Nations, And, the Court, being desirous to rise,.

Voted That Penn Townsend, Esqr Addington Davenport Esqr & Paul Dudley Esq^rs^ with So many of the Members, of the Honble House, as Shall be appointed, & may be Got together, during the Recess of this Court, be Impowered to Consider & agree, what may be proper to be

Legislative Records of the Council, xi., 377.

House Journal, p. 63. *Supra*, chap. 129.

do Justice upon them, to represent those Abuses to the *Iroquois* who are the most considerable Tribes of the Natives, and who have a great Influence on the other Indians, and to desire and engage the continuance of their Friendship with us.

That in case the said Indians should by repeated and insufferable insults bring things to extremity, the said *Iroquois* would join with us in reducing them to a good and peaceable behaviour for the future." — House Journal, p. 57.

[1] No action on this exception is recorded.

[2] The foregoing vote does not appear in the House Journal.

done, as to the Present, of One Thousand pounds Voted by this Court, & lay the Same before his Exellency the Govr & Council, for their approbation, & that it be put in Execution Accordingly, In the House of Representatives, Read & Concurr'd Provided the Instructions be Conformable to the Resolve of this Court, and, that Mr Speaker, Mr Cook Mr Chambers, Mr Tay Mr Remington & Mr Austin be added to them.

In Council Read & Concurr'd. [*Passed July* 7.

CHAPTER 131.

RESOLVE CONFIRMING TITLE TO LAND IN FAVOR OF JOHN WODDEN.

Legislative Records of the Council, xi., 377.

House Journal, p. 36. *Ante*, p. 130, chap. 75.

A PETITION of John Wodden[1] of Salem, praying, that one hundred & Fifty Acres of Land laid out, by a Surveyour & Chain Men, under oath, bounded on Haverhill West Line, to fullfill a Grant made by the General Court to his Father John Wooden, may be Confirmed to him According to the Platt therewith Returned; Read &

Resolved that the Said one hundred & Fifty Acres of Land[2] be Confirmed, to the Said John Wooden & his Heirs. [*Passed July* 7.

CHAPTER 132.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE COMP^Y OF CAP^T JOHN WAINWRIGHT DEC^D.

Legislative Records of the Council, xi., 378.

House Journal, p. 38.

A MUSTER ROLL of the Company in his Majesties Service, under the Command of Capt John Wainwright late dec^d from the 5th of May to the 24th of August 1721, Amo^t to the Sum of £307. 3. 11.

[Read, Accepted, And]

Resolved, That the Sum of Three Hundred & Seven pounds, three Shillings & Eleven pence be allowed, & paid out of the Publick Treasury to[3] the Officers & Soldiers in the within Muster Roll, (Save what Money is due from any of the men to the Captain & Commissary, be first deducted, that being made to Appear, within Sixty[4] days from the date hereof) to discharge their Wages, as within Expressed. [*Passed July* 7.

CHAPTER 133.

RESOLVE ALLOWING £500 TO THE GOVERNOR.

Legislative Records of the Council, xi., 372, 379.

House Journal, p. 61.

Resolved, that the Sum of Five hundred pounds, be allowed & paid out of ye publick Treasury to His Exellency Samuel Shute Esqr Captain General & Govenour in Cheif of this His Majesties Province for His Support in Managing the affairs of the Government. [*Passed July* 7.

[1] "*Wadden*," in the House Journal.

[2] The House Journal here inserts, "laid out to him on *Merrimack-River*."

[3] From this word on, as far as the parenthesis, the House Journal reads, "Discharge the Wages due to the Officers and Soldiers as within expressed," the parenthesis concluding the resolve.

[4] "Twenty," in the House Journal.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE EIGHTH DAY OF AUGUST, A.D. 1722.

CHAPTER 134.

VOTE CONTINUING THE REPORT AB^T WEYMOUTH MEETING HOUSE.

Legislative Records of the Council, xi., 381.

WILLIAM TAILER ESQ^R from the Committee of Both Houses, appointed to Consider the affair of the Meeting House at Weymouth, Gave in their Report,.

Legislative Records of the Council, xi., 316. House Journal, p. 3. *Ante*, p. 161, chap. 7.

Read &

Ordered That the Consideration of this Report, be referred to the Fall Session. [*Passed August 8.*

CHAPTER 135.

RESOLVE ALLOWING £6. 6. 2 TO BENJ^A WOODBRIDGE.

AN ACCOMPT presented By Benj^a Woodbridge of Billeting, Soldiers in his Majesties Service, &c^a Amo^t to the Sum of £6. 6. 2,.

Legislative Records of the Council, xi., 381.

[Read, And]

Resolved That the Sum of Six pounds Six Shillings & Two pence be allowed & paid out of the publick Treasury, to Mr Cutting Noyes in full discharge of this Accompt. [*Passed August 8.*

House Journal, p. 3.

CHAPTER 136.

RESOLVE ALLOWING £8. 3 TO COLL^O W^M DUDLEY.

AN ACCOMPT presented By William Dudley Esqr of Billeting Soldiers, & Expressing Orders for detaching them, Amo^t to the Sum of £8. 3/.

Legislative Records of the Council, xi., 381.

[Read, And]

House Journal, p. 3.

Resolved, That the Sum of Eight pounds, Three Shillings be allowed, and paid out of the publick Treasury to William Dudley Esqr in full discharge of the, Within Accompt. [*Passed August 8.*

CHAPTER 137.

ORDER ON THE PETITION OF SEVERAL INHABITANTS OF WORCESTER, RECOMMENDING A MEETING OF MINISTERS TO SETTLE DIFFERENCES IN THE CHURCH.

Legislative Records of the Council, xi., 383.

House Journal, p. 5. *Ante*, p. 169, chap. 29.

A PETITION of Sundry Inhabitants of the Town of Worcester, Setting forth that the Elders & Messengers of the Several Churches, appointed to meet at Worcester, for their deciding the differences in that Church, decline Going there, by reason of the rupture with the Indians, It being a Frontier place, and therefore praying, That it may be recommended to the Said Ministers to Meet at Dedham, for the affair aforesaid, on the first Wednesday of September Next.

Read &

Ordered, That the Prayer of the Petition be Granted. [*Passed August 10.*

CHAPTER 138.

ORDER ON COMMITTEES REPORT ABOUT Y^E CASTLE PINNACE.

Legislative Records of the Council, xi., 383.

House Journal, pp. 41 (June), 59; pp. 4, 5.

JONATHAN DOWSE ESQ^R from the Committee Gave in the Following Report, Viz^t.

The Committee had the Castle Pinnace hawled up, & took out a Plank on Each Side, & find her very Rotten her Plank too thin, by often Scraping, to hold Oacum, & her Timbers, So Rotten, that they will not hold Nails, and are of the Judgm^t that it will Cost more to Repair her than to have a new one Built, which is Submitted,

(Signed) JON^A DOWSE,
W^M CLARK.

Read and Accepted, &

Ordered that the Said Committee take Care to Get a New Boat Built, and to make use of all the Iron Work in the old Boat, that may be usefull in the New one. [*Passed August 10.*

CHAPTER 139.

RESOLVE ALLOWING £3. 17 TO MAJ^R JOHN CHANDLER.

Legislative Records of the Council, xi., 385.

House Journal, p. 6.

AN ACCOMPT presented by Major John Chandler, of Subsisting Soldiers, & Expressing Orders for the Raising them Amo^t to the Sum of £3. 17.

[Read, And]

Resolved, That the Sum of Three pounds, Seventeen Shillings, be allowed and paid out of the Publick Treasury to John Chandler Esqr in full discharge of the Above Accompt. [*Passed August 11.*

CHAPTER 140.

ORDER FOR TAK^G UP WHALE BOATS.

Voted, That Mr Israel Tupper be directed & Impowered to Go to Sandwich, or any other parts of the Cape, & Take up Twenty Good & Sufficient, Whale Boats for the Service of the Province, & Send them, forth with to, Boston.[1] [*Passed August 11.*

Legislative Records of the Council, xi., 385.

Ante, p. 187, chap. 77.

CHAPTER 141.

RESOLVE ALLOWING £10 TO COLL^O SPENCER PHIPS.

AN ACCOMPT presented by Coll: Spencer Phips of Expressing Orders, for Impressing Soldiers, & for Subsisting Soldiers Amo^t to the Sum of £10.

Legislative Records of the Council, xi., 385.

[Read, And]

Resolved

House Journal, p. 6.

That the Sum of Ten pounds be allowed & paid out of ye publick Treasury to Spencer Phips Esqr in full discharge of the within Accompt. [*Passed August 11.*

CHAPTER 142.

ORDER ON MR HENRY GIBBS PETITION FOR PARTITION OF LANDS.

A PETITION of Henry Gibbs of Watertown Clerk, Shewing that his Mother, Mrs Elizabeth Corwin, left at her Death, a Warehouse Land & Wharf, Near the Town Dock, in Boston, & Two pells: of Land at ye North End of Boston; all which by her last Will & Testament she devised as follows, Viz^t to the Children of her Eldest Son Dec^d One third part, One Third part to the Petitioner, & the Remain^g Third to the Children of Her Youngest Son, George Corwin, dec^d and that the Children of the S^d George Corwin are Infants and have No Guardian Appointed for them, & therefore praying that this Court would order that the Petitioners part in the Said Estate may be Sett off, & Assigned to him.

Legislative Records of the Council, xi., 386.

House Journal, p. 5.

Read &

Ordered, That the Petitioners Part in the House & Lands Mentioned in the Petition be Sett off and assigned to him, in the Same Manner as was Ordered by this Court at their last Session, for Setting off and assigning the parts & Shares of Mr Henry Gibbs of Boston, & Mr John Cotton in the Said Estate, And that the Judge of the Probate of Wills for the County of Suffolk be Impowered & directed Accordingly. [*Passed August 11.*

[1] No such vote appears in the House Journal. See *ante*, p. 187, chap. 77, as to action on June 29.

CHAPTER 143.

RESOLVE ALLOWING £4. 4 TO COLL° JOSEPH BUCKMINSTER.

Legislative Records of the Council, xi., 386.

House Journal, p. 6.

AN ACCOMPT presented By Coll: Joseph Buckminster, of Billeting Soldiers, Impress^d in his Majesties Service, Amo^t to the Sum of £4. 4/.

[Read, And]

Resolv'd

That the Sum of Four pounds & Four Shillings be allow^d and paid out of the Publick Treasury, to Coll° Joseph Buckminster, in full discharge of the above, Accompt. [*Passed August 11.*

CHAPTER 144.

RESOLVE ALLOWING £1. 13 TO LUKE HITCHCOCK ESQ^R.

Legislative Records of the Council, xi., 386.

House Journal, p. 5.

Ante, p. 190, chap. 84.

Resolved

That, the Sum of One pound Thirteen Shillings be allowed and paid out of the Publick Treasury to Luke Hitchcock Esqr for his Travell, & Expences, in Receiving, Three Hundred pounds Left in the Hands of William Pitkin Esqr, & paying the Same into the Treasury, As Appears by the Reciept he produced. [*Passed August 11.*

CHAPTER 145.

RESOLVE ALLOWING £6. 9 TO MAJ^R PAYNE MAYHEW.

Legislative Records of the Council, xi., 386.

House Journal, p. 6.

AN ACCOMPT of Payne Mayhew Esqr of his Sending Expresses, & of his Charges on Soldiers raised, for his Majesties Service, Amounting to the Sum of £6. 9/.

[Read And]

Resolved, That the Sum of Six pounds, Nine Shillings, be allowed & paid out of ye Publick Treasury to Major Payne Mayhew, in full discharge of this Accompt. [*Passed August 11.*

CHAPTER 146.

VOTE APPOINTING A COMMITTEE TO VIEW THE PROVINCE POWDER &c^A.

Legislative Records of the Council, xi., 387.

House Journal, p. 6.

In the House of Representatives;

Voted, That Mr Wm Clark William Dudley Esqr & Coll° Robert Spurr, be a Committee to repair to the Powder House in Boston & Examine what Quantity of Powder there is, Belonging to this Province, to try whether it be fitt for Service, & to Send Such Bll^s as are Unfitt for use to the Powder Mill to be new Made; In Council, Read & Concurred, & that Wm Tailer, & Thomas Fitch Esq^rs be added to the Committee of the House, In the House of Representatives, Read & Concurr'd. [*Passed August 11.*

CHAPTER 147.

ORDER FOR DISCHARGING SEVERAL INDIANS.

In the House of Representatives, Whereas Sundry Indians have of late been taken up, & detained, and it appear^s to this House, tha- Several of them are our Friend Indians; Viz^t Isaac Seconto, Nawhat net,[1] Kautusunk,[2] Wawmanawhoo,[3] Toomegus, Christian, Stowgaroo,[4] & Chawsaucoo,[5] Therefore,

Legislative Records of the Council, xi., 387.

House Journal, p. 5.

Voted, that they with their Wives & Children have Liberty to depart, & that Such of them as are desirous, to return to Albany, have an Englishman to attend them, Either to Westfeild, or Deerfield, to prevent their being Mistaken for Enemies, who is likewise directed to pay the Expence of their Travell there, And that Mr Jabez Fairbanks, be directed & Impowered to restore them the Guns, &c^a taken from them, & from Corass who Escaped, and that in token of our Friendship to them, a Blankett be Given to Each of them; That William Paugus Abraham & Francois (Pennicook Indians) together, with their Squaws & Children, be Secured, where they are, untill further Order

In Council, Read & Concurr^d. [*Passed August 11.*[6]

CHAPTER 148.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISONS AT FORT GEORGE.

A Muster Roll of the Garrison in his Majesties Service, at Fort George at Brunswick under the Comm^d of Capt John Gyles, Containing an Accompt of Wages due to them, for their Service, from July 7th 1721 to August 13th 1722, Amo^t to the Sum, of £265. 7. 2.

Legislative Records of the Council, xi., 388.

House Journal, p. 8.

[Committee's report read and]

Resolved That the Sum of Two hundred & Sixty Five pounds Seven Shillgs: and Two pence, be allowed & paid out of ye Publick Treasury, to discharge the Wages due to the officers & Soldiers in the within Muster-Roll. [*Passed August 14.*

CHAPTER 149.

RESOLVE ALLOWING £57. 17. 9 TO CAP^T JOHN GYLES.

An Accompt presented, by Capt John Gyles of disbursments, for his Majesties, Service for Work & for Fire Wood, at Fort George, &

Legislative Records of the Council, xi., 389.

[1] "*Nawhanut*," in the House Journal.
[2] "*Kautosuck*," in the House Journal.
[3] "*Waymanaw*," in the House Journal.
[4] "*Toyaraw*," in the House Journal.
[5] "*Chausaco*," in the House Journal.
[6] The following was the vote of the House, according to the House Journal, p. 5: "*Voted*, That those of them which belong to the *Maquois, Albany* & *Moheegs*, and are desirous to return, may have liberty to depart, and a Guard to attend them, and bear their Expence to *Deerfield*. And as a Token of Friendship that a Blanket be given to those Eight Indians, and that Mr. *Jabez Fairbanks* be desired to take care that the Guns, &c. taken from them, and from *Cohoos* (who escaped) be restored to them. And that *Wm. Pawyees, Abraham* and *Francis, Penecook*-Indians, with their Families be sent to the Castle and secured."

House Journal, p. 8.

for Intelligence, from the Indians, and of Wages for his Service as Interpreter, Amo^t to the Sum of £57. 17. 9.

[Read and]

Resolved That, the Sum of Fifty Seven pounds, Seventeen Shillings & Nine pence, be allowed and paid out of the publick Treasury, to Capt John Gyles in full discharge, of the above Accompt. [*Passed August 14.*

CHAPTER 150.

RESOLVE ALLOWING £41. 19. 10 TO DISCHARGE CAP^T JOHN GYLES 2^D ACCO^T.

Legislative Records of the Council, xi., 389.

House Journal, p. 8.

AN ACCOMPT presented, by Capt John Gyles of his Charge in obtaining Intelligence from the Indians, from Decr 1720, to June 1721, Amo^t to, £41. 19. 10.

[Read and]

Resolved, That the Sum of Forty one pounds Nineteen Shillings & 10^d be allowed & paid out of the publick Treasury to Capt John Gyles, in full discharge of the within Accompt to June 27th 1721. [*Passed August 14.*

CHAPTER 151.

RESOLVE ALLOWING £1 PER WEEK TO CAP^T JOHN GYLES FOR WAGES.

Legislative Records of the Council, xi., 389.

House Journal, p. 8.
Ante, p. 211, chap. 149.

WHEREAS Capt John Gyles, has been allowed pay as Interpreter to the Indians besides his usual allowances as Commander of Fort George, which pay now Ceases, by Reason of the Indian War,.

Resolved, That the Said Capt John Gyles be allow^d the Sum of Twenty Shillings per Week, as Captain of that Fort for and during the present War. [*Passed August 14.*

CHAPTER 152.

VOTE ALLOWING THE ACCO^T OF THE TREASURER OF DUKES COUNTY.

Legislative Records of the Council, xi., 389.

House Journal, p. 7.

AN ACCOMPT of Enoch Coffin Treasurer of Dukes County for the Year 1721, Having been Examined by the Court of General Sessions, of the peace for the Said County, and by them Accepted & allowed, Read & allow^d. [*Passed August 14.*

CHAPTER 153.

ORDER ON JACOB SEEKNOUTS PETITION PRAYING AN ACCOUNT BY HIS AGENT.

Legislative Records of the Council, xi., 389.

House Journal, p. 9.

A PETITION of Jacob Seeknout (Indian) Sachem, of Chebanquedock, Complaining of Some Fradulent and wrong dealings of Benj^a Haws Esqr his Agent, and praying that the Said Haws may be obliged to Give an Account of his trust and that the Court would appoint Some

persons before whom Simon Butler, (The petitioners Present Attourney) shall be obliged Annually to accompt or that he may be otherwise Relieved,

[Read and]

Ordered That, the Petitioner Serve Benj^a Haws, Esqr with a Copy of this Petition In Order to his Giving answer, thereto on the First Tuesday of the Next fall Sessions. [*Passed August 14.*

CHAPTER 154.

RESOLVE FOR TROOPERS CARRY^G EXPRESSES.

WHEREAS ofttimes when the Captain Generals Orders, for the detaching of men in the Countreys Service Reach the Collonells or Cheif officers of the Regiments, Several of the Captains & other officers to whom the Severall Collonells are obliged to Send Warrants to Impress their Quota of men, living at So a Great a distance, from the Coll^s That the Orders Cannot be Seasonably dispatched without Great Charge to the Province, And in as Much as the Troopers of the Several Regiments, are Freed from Impresses, & other Military dutys, that the Foot Companys are obliged to.

Legislative Records of the Council, xi., 390.

House Journal, p. 9. Province Laws, ii., 225, chap. 1; 234.

Wherefore,

Resolved That when the Captain General or Commander in Cheif his Orders Come to the Collonells or Cheif officers of the Several Regiments within this Province, Such Collonells &c^a Shall have power to Order & dispatch his Warrants to his Several officers, by one or more of the Troopers in his Regiment, and if any Trooper Shall Neglect and refuse Such Service when Commanded, he Shall forfeit & pay the Sum of Twenty Shillings, for Every Such Neglect, & be Reduced to the Foot Service; Such Penalty to be Recovered, by Complaint or Information, of the Clerk of Such Collonell, or Cheif officer, before any of his Majesties Justices of the peace in the County, where Such Neglect is, The one Half to the Informer, the other Half to the Use of the Company, to be Employed in paying dispatches in the aforesaid Service. [*Passed August 14.*

CHAPTER 155.

RESOLVE ALLOWING £5. 8 TO COLL^O ELEAZAR TYNG.

AN ACCOMPT presented By Coll^o Eleazar Tyng of Billeting Soldiers Impressed in his Majesties Service, Amo^t to the Sum of £5. 8.

Legislative Records of the Council, xi., 390.

[Read and]

Resolved that the Sum of Five pounds Eight Shillings, be allowed, & paid out of the publick Treasury, to Coll^o [1] Eleazar Tyng in full, discharge of the above Accompt. [*Passed August 14.*

House Journal, p. 7.

[1] "Mr.," in the House Journal.

CHAPTER 156.

RESOLVE ALLOWING £4. 4 TO COLL° ISAAC WINSLOW.

Legislative Records of the Council, xi., 390.

House Journal, p. 9.

AN ACCOMPT presented By, Coll° Isaac Winslow of Subsisting Soldiers, & Sending out Warrants, for Impressing them Amo^t to the Sum of £4. 4.

[Read, And]

Resolved, That the Sum of Four pounds & Four Shillings Be allowed & paid out of ye publick Treasury, to Coll° Isaac Winslow in full discharge of the within Accompt. [*Passed August 14.*

CHAPTER 157.

ORDER ON PETITION OF SEVERALL INHABITANTS OF SHEWAMET TO BE MADE A TOWN.

Legislative Records of the Council, xi., 391.

House Journal, pp. 8, 9. *Ante*, p. 59, chap. 129.

A PETITION of Several of the Inhabitants of the District of Shewamet, Praying that the Said District may be Either Joined to the Town of Swanzey, & have the Priveledge of Voting with them, as they were wont to do, Or that Shewamet may be made a distinct & Seperate Township. In the House of Representatives Read & referred to the fall Sessions, and that the Inhabitants of Swanzey be Served with a Copy thereof, as also the Other Inhabitants of Shewamett; In Council; Read & Concurr'd And that the Town of Swanzey & the other Inhabitants of Shewamett Give answer to this Petition (if they See Cause) on the Sec^d Wednesday of, the Next fall Session.

In the House of Representatives Read & Concurr'd. [*Passed August 14.*

CHAPTER 158.

ORDER ON MATTHEW PERKINS PETITION FOR POWER TO SELL LAND.

Legislative Records of the Council, xi., 391.

Legislative Records of the Council, xi., 311. House Journal, p. 7. *Ante*, p. 148, chap. 125.

A PETITION of Matthew Perkins Junr of Ipswich Shewing that, whereas, the General Court, did at their Session in March last, Give Liberty to the Petitioner, to bring in a Bill to Enable him to Sell a peice of Land belonging to his late Wife, In Order to pay debts Contracted by her Sickness, & did in answer to the Petition, of James Burnham, Vote that no further proceedings, should be had on the petitioners first petition, The Said Vote was pass'd without his Knowledge, and any opportunity for his defence, And therefore, praying, that he may be heard before the Court in order to Vindicate himself, from the Aspersions, Cast on him, by the Said Burnham, & to Shew the Reasonableness, of his Request, to be Enabled to Sell the Said Land, Read and

Ordered That Mr James Burnham be Served with a Copy of this petition, that he may be heard thereon (if he See Cause,) on the third Wednesday of the Fall Session. [*Passed August 14.*

CHAPTER 159.

RESOLVE ALLOWING £9. 10 TO COLL° JOHN APPLETON.

AN ACCOMPT presented, by Coll° John Appleton of Subsisting Soldiers, in his Majesties Service, Amo^t to the Sum of £9. 10/.

[Read, and]

Resolved, That the Sum of Nine pounds Ten Shillings, be allowed & paid out of the publick Treasury, to, Coll° John Appleton in full discharge of the, Within Accompt. [*Passed August 14.*

Legislative Records of the Council, xi., 391.

House Journal, p. 9.

CHAPTER 160.

ORDER FOR PROVIDING WAR LIKE STORES.

Voted,

That Mr Treasurer Allen, be directed to take up three Large Sloops, for the Transportation of the Forces & Stores for the designed Expedition and that he provide Two Dozen of Good Axes, One hundred & fifty Hand Granadoes, Two Cohorn Mortars, with a Sufficient Number of Shells, If to be had, Six Great Guns of about Six hundred Wieght Each, for the Service of the Expedition; and that Five hundred pair of Snow Shoes, & Moggasins be Seasonably provided for the Forces for the Winter Season and that his Exellency the Govr be desired to Issue out his Orders Accordingly. [*Passed August 16.*[1]

Legislative Records of the Council, xi., 393.

Legislative Records of the Council, xi., 379, 381, 382, 384, 385, 388, 392. *Infra*, chap. 161.

CHAPTER 161.

VOTE ACCEPTING REPORT OF THE COMMITTEE ON INDENT OF STORES FOR THE EXPEDITION.

AN INDENT of Stores requisite for the Forces being presented, by the Treasurer, The Committee for the War made the Following Report thereon, Viz^t The Committee for prosecuting the War are of opinion that the Abovewritten, Stores[2] are Necessary to be Sent to the Forces Eastward forthwith and that A Chaplain & Surgeon, be also prepared to attend the aforesaid Forces,

JN° WHEELWRIGHT by order of the Committee.

Read & Accepted. [*Passed August 16.*

Legislative Records of the Council, xi., 393.

House Journal, p. 8. *Supra*, chap. 160. *Infra*, chap. 162.

CHAPTER 162.

VOTE ACCEPTING REPORT OF THE COMMITTEE FOR PROSECUTING THE WAR.

THE COMMITTEE for Prosecuting the War are further Humbly of opinion, That it will be for his Majesties Service, & the Security of the Eastern Frontiers, & tend to put a more Speedy and Succesfull End to the War, That Four hundred of the most able Bodied men,

Legislative Records of the Council, xi., 395.

Supra, chap. 161.

[1] No such vote appears in the House Journal.
[2] The "indent of stores" has not been found.

of the Forces, in these parts be kept Constantly Mareh^g by Land & Water in the Enemys Country, more Especially upon the River Kennebeck, Penobscot & the parts adjacent, Unless Employed on Some Special Expedition, against any Certain place Tribe or Body of the Enemy; And, Therefore, That one hundred more Good Effective men, be forthwith Sent into the County of York, for a Guard & Security unto the Frontier Towns, there, To be posted with the other Forces already assigned, for that Service, at the Following places, and their Number will be as hereafter Enumerated, At Berwick Thirty Five, Kittery Ten, York Twenty Five, Wells, Forty, Arandel, Twenty Biddeford Twenty, Black point Twenty, Spurwinck, Nine, Papooduck Eight, North Yarmouth Twenty, Falmouth Twenty Four, New Casco Six Maquoit Ten, Richmond, Twenty Five, Arowsick; Twenty Five, The Stone House at Small Point, Fifteen, And that the Towns of York, Kittery, Wells, & Berwick be allowed Ten men, belonging to those Towns be Employed as Pilotts, & Scouts; And that his Exellency the Govr be desired to Issue out his Orders for the Speedy effecting the Same,

JN^o WHEELWRIGHT p^r Order of the Committee[1]

Read & Accepted. [*Passed August 16.*

CHAPTER 163.

RESOLVE ALLOWING £1. 10 TO COLL^o JOHN OTIS.

Legislative Records of the Council, xi., 396.

House Journal, p. 11.

AN ACCOMPT presented by Coll^o John Otis, for Expence in Impressing Soldiers & in Expresses, Amounting to the Sum of £3. 10/.

[Read, And]

Resolved, That the Sum of One pound Ten Shillings be allowed & paid out of the publick Treasury to, Coll: John Otis in full to discharge the Said Accompt. [*Passed August 16.*

CHAPTER 164.

VOTE ALLOWING THE COUNTY TREASURER OF MIDDLESEX HIS ACCO^T.

Legislative Records of the Council, xi., 396.

House Journal, p. 4.

AN ACCOMPT, presented, by, Mr Daniel Russell, Treasurer of the County of Middlesex, for the Year 1721, which having been Examined by the Court of General Sessions of the peace for that County & by them allowed.

Read & allowed. [*Passed August 17.*

CHAPTER 165.

VOTE RESPECTING ELISHA SEARLES.

Legislative Records of the Council, xi., 396.

WHEREAS Elisha Searles, was Some time last War, taken from his fathers House, in the County of Hampshire, by the Indian Enemy &

[1] Several reports of this committee on the prosecution of the war are referred to in the House Journal, but not this one. See House Journal, August 11, p. 6; *ibid.*, August 13, p. 7; *ibid.*, August 15, p. 10.

Carried Captive to Canada, Where he hath remained Ever Since and is now Come into this Province

House Journal, p. 13.

Voted that the Sum of Ten pounds be allowed & paid out of the publick Treasury to Engage him to abide here, & not to return to Canada to the French, and that his Exellency be desired to retain him in the publick Service, of this Government, as a Sergeant, at the Garrison of Deerfield, or Northfield. [*Passed August 17.*

CHAPTER 166.

VOTE FOR FITTING OUT TWO SHALLOPS AGAINST THE INDIANS.

INFORMATION being Given, That Several Fishing Vessells belonging to this Province, have been lately taken by the Indians on the Coast of Cape Sables, & Several of their men made Prisoners and Capt Dunell proposing in Case two Shallops be fitted out by the Government, to man & Victuall them, & Supply the men with ammunition (without further Charge to this Province) out of his Majesties Ship Sea Horse, in Order to recover, the Said Vessells & men,

Legislative Records of the Council, xi., 398.

House Journal, p. 14.

Ordered, That Two Suitable Shallops be forthwith taken up for that Service, and that his Exellency be desired to Give out his Orders Accordingly. [*Passed August 18.*

CHAPTER 167.

RESOLVE ALLOWING £240. 16 TO DISCHARGE AN ACCOMPT OF STORES & PROVISIONS FOR THE SHIP FLYING HORSE. VOTE FOR DEMANDING THE STORES OF THE SHIP FLYING HORSE.

AN ACCOMPT of Sundry Stores & provisions for the Ship Flying Horse, Peter Papillon Captain, lately taken up for the Service against the Pirates, Amot to the Sum of £240. 16/.

Legislative Records of the Council, xi., 398.

[Read and]

Resolved That the Sum of Two hundred & Forty pounds Sixteen Shillings be allowed & paid out of ye publick Treasury, for the Several Merchants & Tradesmens Accompts, mentioned in the Within Bill in full discharge of the Said Sum, And,

House Journal, pp. 16, 17. *Ante*, p. 188, chap. 79.

Voted That the Committee appointed, to fitt out the Ship Flying Horse, for the Service of the Province be directed & Impowered to demand Receive, & recover from Capt Peter Papillon, the Stores & furniture, advanced for fittg out the Ship Flying Horse, on the late Expedition, & to Return the Same into the Treasury. [*Passed August 18.*

CHAPTER 168.

RESOLVE ALLOWING £7. 12 TO COLLO ELEAZAR FLAGG.

AN ACCOMPT presented, by Lient Coll: Eleazar Flagg, for Subsisting Soldiers Impressed in his Majesties Service, & Indians, Amounting to, £7. 12.

Legislative Records of the Council, xi., 401.

[Read, and]

House Journal, p. 16.

Resolved That the Sum of Seven pounds & Twelve Shillings be allowed & paid out of the publick Treasury, to Coll: Eleazar Flagg in full discharge, of the within Accompt. [*Passed August 18.*

CHAPTER 169.

RESOLVE ALLOWING £4. 10 TO COLL: JOSEPH BUCKMINSTER.

Legislative Records of the Council, xi., 402.

House Journal, p. 16.

AN ACCOMPT presented by Coll: Joseph Buckminster of Expresses & Subsisting Soldiers in July last, Amo^t to the Sum of £4. 10/.

[Read, and]

Resolved that the, Sum of Four pounds & Ten Shillings be allowed & paid out of the publick Treasury to Coll^o Joseph Buckminster, in full discharge, of the above Accompt. [*Passed August 18.*

CHAPTER 170.

RESOLVE ALLOWING £8. 14. 10 TO RICHARD HALL.

Legislative Records of the Council, xi., 402.

House Journal, p. 15.

AN ACCOMPT presented, by Richard Hall of Entertainment of Committees of both Houses, in this Session Amo^t to the Sum of £8. 14. 10.

[Read, and]

Resolved, That the Sum of Eight pounds Fourteen Shillings[1] & Ten pence, be allow'd & paid out of ye publick Treasury to Mr Richard Hall, in full discharge of the Said accompt. [*Passed August 18.*

CHAPTER 171.

VOTE ON MEMORIAL OF JOHN LEVERETT ESQ^R &c^A RESPECTING THE BLOCK HOUSE AT S^T GEORGES.

Legislative Records of the Council, xi., 402.

House Journal, p. 13.

A MEMORIAL of John Leverett Esqr & his Associates, Proprietors of the Lands on Each Side of St Georges, River, Shew^g that they having formed, a Company & projected the Settlement, of Several Towns, on the Said Lands have in order to Secure their Stores, & Cover the Inhabitants, Erected at a very Considerable Charge a Capacious & defensible House with a Block House, at the Shore, for the Security of Landing with a Large Area, between the Said Houses, Pallisadoed & Capable of Receiving (if need be) Two hundred & fifty men which Houses, would be a very Great Curb, to the Norridgewock & Penobscot Indians, & have therefore been lately attacked by them, & the Indians Repulsed, and proposing that this Government, should take the Said fortified, Houses, into their own hands, as a place of Great Importance, for Carrying on the Warr.

Upon Reading the above Memorial,

Voted That his Exellency be desired to Give his Orders for the posting Twenty Five men, Including the Twenty men already there, under the Command of an officer in Lieutenants pay, for the defence of the Said House Untill the Session of this Court in May next. [*Passed August 18.*

[1] According to Executive Records of the Council, vii., 393, thirteen shillings.

CHAPTER 172.

VOTE FOR IMPOWERING CPT WILLM THROOP TO COLLECT EXCISE.

Resolved, That Capt William Throop late Commissnr of Excise for the County of Bristoll, be authorized & Impowered to Sue for the Excise, that remains due to the Province; during his Continuance in that office, Notwithstanding his time is now Expired. [*Passed August 18.*

Legislative Records of the Council, xi., 403.

House Journal, p. 17.

CHAPTER 173.

RESOLVE ALLOWING £10 TO COLL: JOHN OTIS.

AN ACCOMPT presented by Coll: John Otis, of Billeting Soldiers, in his Majesties Service, Amot to the Sum of £10.

[Read, and]

Resolved, That the Sum of Ten pounds be allowed & paid out of the publick Treasury, to, Collo John Otis in full, Discharge of the Said Accompt. [*Passed August 18.*

Legislative Records of the Council, xi., 403.

House Journal, p. 16.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE FIFTEENTH DAY OF NOVEMBER, A.D. 1722.

CHAPTER 174.

ORDER GRANTING JEREMIAH BELCHERS PETITION FOR LAYING OUT LAND.

Legislative Records of the Council, xi., 407.

House Journal, p. 3.

A PETITION of Jeremiah Belcher, Shewing that the General Court of the late Colony of the Massachusets did for divers Good Considerations, Give & Grant to his Father, Jeremiah Belcher, in the Year 1659 three Hundred Acres of Land, to be laid out So, as that it might be no prejudice to any place, that was otherwise fit for a plantation, But adjoyning to some Plantation or other, that by reason of the Indian War, the Petitioners Father Neglected to take up the Said Land, & the Petitioner not knowing of the Said Grant, till very lately, has done nothing therein, and praying that he may be now allowed to lay out & Survey Three Hundred Acres of Land in Some Free place, and Return the Platt, thereof to this Court, for their Confirmation

Read &

Ordered That the Prayer of this Petition be Granted. [*Passed November 17.*

CHAPTER 175.

ORDER FOR A NEW PRECINCT IN WEYMOUTH.

Legislative Records of the Council, xi., 408.

House Journal, p. 6.

Ante, p. 207, chap. 134.

A PETITION of the South part of the Town of Weymouth, praying that they may be Sett off a distinct and Seperate Precinct, and that the Bound Line, between them & the other part of the Town of Weymouth, may be according as was proposed, by a Committee of the General Court.

In Council, Read &

Ordered, That the Petitioners, be Sett off a distinct & Seperate Precinct, and have the Powers & Priveledges, allowed by Law to Precincts, & that the Divisional Line begin at the Borders of Hingham & Run by Lieu[t] Enoch Lovells Land, & So a Little Southward of John Blanchards Land, adjoining to the Middle Road, & So Continuing to Brantry through a peice of Common Land, between the Lands of Lieu[t] Joseph Nash & Zechariah Gurney, Provided that Joseph Beat, & Samuel Ward & their Families & Estates be Taxed to the North Precinct, if they Continue to desire it, Provided also, that the Town of Weymouth do not at Some time before the Sessions of this Court in May Next, agree upon having one Meeting House for the whole Town & to be placed in Such part

of the Said Town as Shall be Judged most Convenient, by a Committee of the General Court, to be appointed for that purpose.

In the House of Representatives; Read & Concurr'd The Charge of the Committee to be born by the whole Town.

In Council; Read & Concurr'd. [*Passed November 20.*

CHAPTER 176.

VOTE ACCEPTING THE REPORT OF THE COMMITTEE, AS TO THE AFFAIR OF WATERTOWN & Mr STURGEON.

The Report of the Committee on the affair of Watertown meeting House was read & accepted in Council & Concurred by the Representatives, with amendments, and as Amended is as follows, Vizt Pursuant to the Order of the General Court, at their Session in May last, The Committee Repaired to Watertown, the Twenty Seventh of July following, having Cited, both partys, petitioning, together with Mr Robert Sturgeon to appear at the Time & place of Meeting, When & where they that Style themselves Proprietors of the Middle Meeting House, laid before us a Memorial asserting the Same,

Legislative Records of the Council, xi., 408.

House Journal, p. 7. *Ante*, p. 196, chap. 99.

Having heard & Considered what both partys have to Say, the Committee are humbly of opinion, That in as much as there is a Commodious Meeting House, newly Erected and finished in the Westerly part of Watertown, Instead, of the Said Middle Meeting House, agreeable to the Order of the General Court in Novr 1720, That the aforesaid Middle Meeting House be demolished, within the Space of Six Weeks, & In Case of Neglect thereof That the Sherriff of the County of Middlesex, be directed & Impowered Conveniently to Effect, the Same, & pay himself out of the Timber & other Materials, And for as much as it would tend to Restore peace & Good Agreement in the Town of Watertown, To have the Eastern Meeting House Speedily removed to, or a New Meeting House built in the Said Town, at School Hill, according to the advice of the Council of Churches Febry 17th 1721/2, The Committee therefore are humbly of opinion, that it be therefore accomplished within the Space of Twelve months, at Furthest; As to Mr Robert Sturgeon he Exhibited, in writing under his hand, his Reasons, why he was Ordained at Boston, & afterwards Installed at Watertown in the way & manner he was, & why he Continues to preach there, which reasons are in our opinion altogether Insufficient to Justify his Extrodinary proceedings, which if Continued would Inevitably promote the Ruin & Subversion of these Churches, & Whereas the Said Mr Sturgeon in defence[1] of Two Councils of Churches, & in Contempt of the order of the General Court, is So hardy as to go on to disturb, the Town, in preaching there, The Committee are of opinion, That the Attorney General be directed to prosecute the Said Sturgeon for this his Contempt of the Said order of the General Court, at the next Court of the General Sessions of the peace for the County of Middlesex, to be held at Charlestown, & at other Courts as there may be occasion, all; which is Submitted,

Samuel Sewall in the Name of the Committee.

[*Passed November 20.*

[1] *Sic*, for (it seems) defiance.

CHAPTER 177.

RESOLVE ALLOWING £75 TO COLL° JOHN SCHUYLER.

Legislative Records of the Council, xi., 409.

House Journal, p. 6.

A PETITION of Coll: John Schuyler of Albany, Shewing that he Expended, about Fifty pounds in New York money in the Year 1713, in Redeeming Several Captives, belonging to this Province, out of the Hands of the French, & Indians, & in Supporting them in their return home, & praying a proper Consideration & allowance for the Same. Read &

Resolved, That the Sum of Seventy Five pounds be allowed & paid out of the publick Treasury, to Coll: John Schyler in answer to the within petition. [*Passed November 20.*

CHAPTER 178.

RESOLVE ALLOWING £5. 1. 6 TO ISRAEL TUPPER.

Legislative Records of the Council, xi., 409.

House Journal, p. 5.
Ante, p. 209, chap. 140.

AN ACCOMPT presented by Israel Tupper of Time & Expence, in taking up Whale Boats, for the Government, Amo^t to £5. 1. 6.

[Read and]

Resolved, That the Sum of Five pounds, one Shilling & Six pence be allowed & paid out of the publick Treasury, to Mr Israel Tupper in full discharge of the within Accompt. [*Passed November 20.*

CHAPTER 179.

RESOLVE FOR A PRESENT TO COLL: JOHN SCHUYLER.

Legislative Records of the Council, xi., 411.

Legislative Records of the Council, xi., 404. House Journal, p. 9.

IN CONSIDERATION, of the past Good offices done this Government By Coll: John Schuyler of Albany, & his late Voyage Eastward with the Delegates of the Six Nations; By which he has demonstrated his Intent to promote the Good of this Province, in an affair of that Importance.

Resolved, That the Sum of Seventy Five pounds be allowed & paid out of the publick Treasury to the Said Coll: John Schuyler. [*Passed November 21.*

CHAPTER 180.

ORDER CONTINUING THE HEARING ON BILLINGSGATE PETITION.

Legislative Records of the Council, xi., 412.

House Journal, p. 9.
Ante, p. 173, chap. 43.

WHEREAS this day was appointed for a hearing on ye Billingsgate petition, and the Agent for the Said Town not being arrived.

Ordered, that the Said Hearing be deferr'd to Fryday next, the Said agent being misinformed of the time of Hearing. [*Passed November 21.*

CHAPTER 181.

RESOLVE ALLOWING £69. 13. 2 TO JONATHAN DOWSE AND WILLIAM CLARKE TO DISCHARGE ACCOMPT OF BUILDING CASTLE BARGE.

An Accompt presented by the Committee, of the Charge of Building & Fitting a Barge for Castle William, Amo^t to the Sum of £69. 13. 2. [Read and]

Resolved, That the Sum of Sixty Nine pounds Thirteen Shillings & 2^d be allowed & paid out of the publick Treasury to Jonathan Dowse Esqr & Mr William Clarke, to discharge the Said accompt. [*Passed November 21.*

Legislative Records of the Council, xi., 412.

House Journal, p. 5.

Ante, p. 208, chap. 138.

CHAPTER 182.

RESOLVE ALLOWING £29. 3 TO COLL: SAM^LL BROWN.

An Accompt presented by Coll^o Samuel Brown of the Subsistence of Soldiers Impressed into his Majesties Service, Amo^t to £29. 3. [Read and]

Resolv^d That the Sum of Twenty Nine pounds & Three Shillings be allowed & paid out of the Publick Treasury to Coll: Samuel Brown in full discharge of the Said Accompt. [*Passed November 21.*

Legislative Records of the Council, xi., 412.

House Journal, p. 9.

CHAPTER 183.

VOTE ALLOWING THE COUNTY TREASURER OF ESSEX HIS ACCO^T.

An Accompt of John Appleton Esqr Treasurer for the County of Essex, for the last Year, having been Inspected by the Court of General Sessions of the peace for the Said County, & by them, allowed & approved.

Read & allowed. [*Passed November 21.*

Legislative Records of the Council, xi., 412.

House Journal, p. 10.

CHAPTER 184.

ORDER FOR SEND^G TO THE GOV^R OF NEW YORK.

Ordered That a Letter be prepared by this Court, & dispatched to Govr Burnett, Informing him, that the Delegates of the Six Nations have assured this Government, that their Tribes (if desired) will Come & treat with this Government, Respecting the War Wee have been forced into against the Eastern Indians, which if Accomodated may tend to promote the peace & Welfare of his Majesties Loyal Subjects the Inhabitants of this Province, This being a Matter of So General Concern to the Crown of Great Britain, No Doubt Can be made of his Ready & Generous Endeavour to attain the Same, and that he would be pleased by the First opportunity to Signify his Resolution in this affair. [*Passed November 22.*

Legislative Records of the Council, xi., 413.

Legislative Records of the Council, xi., 404, 406, 410, 412 *ter*, 413.

House Journal, pp. 1, 3, 8, 9, 10.

CHAPTER 185.

RESOLVE ALLOWING £9. 13 TO COLL: JOHN CHANDLER.

Legislative Records of the Council, xi., 414.

House Journal, p. 11.

AN ACCOMPT presented by Coll: John Chandler of Subsisting Soldiers in his Majesties Service, Amo^t to the Sum of £9. 13.

Read &

Resolved That the Sum of Nine pounds & Thirteen Shillings be allowed & paid out of ye publick Treasury to Coll: John Chandler, in full discharge of the Said accompt. [*Passed November 22.*

CHAPTER 186.

RESOLVE ALLOWING £30 TO LAWRENCE CLAUSE, INTERPRETER.

Legislative Records of the Council, xi., 414.

House Journal, p. 9.

Resolved

That the Sum of Thirty pounds be allowed & paid out of the publick Treasury to Mr Lawrence Clause,[1] as Interpreter to the Delegates of the Six Nations. [*Passed November 22.*

CHAPTER 187.

RESOLVE ALLOWING £10 TO LIEU^T JOSEPH KELLOG.

Legislative Records of the Council, xi., 415.

Legislative Records of the Council, xi., 404. House Journal, p. 11.

Resolved That the Sum of Ten pounds be allowed & paid out of the Publick Treasury, to Mr Joseph Kellog for his attendance on the Delegates of the Six Nations in their Voyage to the Eastward. [*Passed November 22.*

CHAPTER 188.

ORDER ON Y^E PETITION OF JOSEPH MARBLE &c^A OF SUDBURY TO BE SET OFF TO STOW.

Legislative Records of the Council, xi., 416.

House Journal, p. 13. *Ante*, p. 179, chap. 62.

THE PETITION of Joseph Marble, & others, Inhabitants of Sudbury on the North Side of Stow River, (as Entered June 25th 1722) with the answer of the Town of Sudbury thereto, were read and the Following Vote pass'd thereon, Viz^t

Ordered, That the Prayer of this Petition be Granted, Saving only, that the Petitioners & their Estates within the Town of Sudbury Shall be Liable to be Taxed towards the Building of the Church, or meeting House, to be Erected in the West part of the Said Town. [*Passed November 24.*

[1] In the House Journal, "*Clois.*"

CHAPTER 189.

VOTE FOR ENLARGING ABRAHAM (INDIAN) & HIS FAMILY.

WHEREAS Hendrick De Witt, & the Other Delegates of the Six Nations, Tak^g Leave of the General Court, Shewed some Concern, That their, Request for the Enlargement of Abraham & Family, was not Granted unto them, for whose Good & peaceable Behaviour for the future, they had Engaged, & being desirous there sho^d be no Uneasiness, in the Said Delegates, & to Cultivate an Entire & hearty Understanding between them & us, & to Engage them in our Interest.

Legislative Records of the Council, xi., 418.

Legislative Records of the Council, xi., 406, 414. House Journal, p. 13.

Resolved That the Said Abraham & Family be Sett free, & delivered to the Said Hendrick and Delegates, and wee Shall look on them his Suretys, for his Good Behaviour, & Carriage towards the Inhabitants of this Province. [*Passed November 26.*

CHAPTER 190.

ORDER ON ISAAC COOLEDGE & JOSEPH EPHRAIM &c^A PETITION.

A PETITION of Isaac Cooledge of Sherburne & Joseph, Ephraim, Andrew Ephraim, & John Ephraim, Broth^rs of Simon Ephraim, (Indian) late of Natick, Dec^d Shewing that the said Simon Ephraim had Erected a Frame of a Large House, on a Lot of Land, belonging to him, which Lot does not Lye Commodiously for any of his Brethren, & the Frame of the House will be of no Use to them, & therefore praying that Liberty may be Given to the Petitioner Isaac Cooledge to purchase the Said Land, & Frame, That So the Petitioners may have Something to lay out for Cattle, & other Things Necessary

Legislative Records of the Council, xi., 418.

House Journal, p. 12.

Read &

Ordered, That the prayer of the Petition be Granted, Provided it be apprized by three men, upon Oath, & the Money paid into the Hands, of Maj^r Fulham, Mr Hopestill Brown, & Mr Wm Dudley, To be Improved according to the Petition. [*Passed November 26.*

CHAPTER 191.

ORDER ON PETITION OF DAVID HANES &c^A A COMMITTEE FOR WEST SUDBURY IN REGARD TO A MEETING HOUSE.

A PETITION of David Hanes, Daniel Estabrook, & John Haynes, a Committee for the West precinct in Sudbury, Shewing That Notwithstanding the Order of the General Assembly, That the Charge of Building a Meeting House in the Said Precinct, shall be born by the whole Town, The Inhabitants of the Said Town have refused to raise a Tax, for the defreying of that Charge, And therefore praying that this Court would relieve them under that Greivance.

Legislative Records of the Council, xi., 419.

House Journal, p. 16. *Ante*, p. 166, chap. 23.

Read &

Ordered, That a[1] Meeting House be Erected, Built & finished at a place Called Rocky Plain, in the West Precinct in Sudbury, according to the Order of this Court, & that a Sum Not Less than Three Hundred & Fifty pounds, nor Exceeding Five hundred pounds be raised by &

[1] The House Journal inserts the word "New."

assesed on the Town of Sudbury, for defreying the Charges thereof, and that, the old Meeting House be likewise[1] repaired at the Charge of the Whole Town, and that the Ministers on both Sides the River, be maintained & Supported by a Town Tax. [*Passed November 27.*

CHAPTER 192.

RESOLVE ALLOWING £6. 8. 6 TO COLL: JOHN APPLETON.

Legislative Records of the Council, xi., 420.

House Journal, p. 16.

AN ACCOMPT Presented, by Coll° John Appleton of Billeting Soldiers Impressed in his Majesties Service amo^t to the Sum of £6. 8. 6.

[Read and]

Resolved, That the Sum of Six pounds, Eight Shillings & Six pence be allowed & paid out of the Publick Treasury to Coll: John Appleton in full of the Said Accompt. [*Passed November 27.*

CHAPTER 193.

RESOLVE ALLOWING £2 TO COLL: ISAAC WINSLOW.

Legislative Records of the Council, xi., 420.

House Journal, p. 16.

AN ACCOMPT Presented by Coll: Isaac Winslow of Billeting Soldiers, Impressed into his Majesties Service, Amo^t to the Sum of £2.

[Read and]

Resolv^d

That, the Sum of Two pounds be allowed & paid out of the Publick Treasury to, Coll: Isaac Winslow to discharge the Said Accompt. [*Passed November 27.*

CHAPTER 194.

ORDER APPOINTING A COMMITTEE ON BILLINGSGATE PETITION.

Legislative Records of the Council, xi., 420.

House Journal, p. 17. *Ante*, p. 222, chap. 180.

In Council,

Ordered, That John Cushing Esqr with Such, as the Honble House of Representatives, shall appoint be a Committee, to repair to Eastham, & Billingsgate & report to this Court at their Session in May Next, what may be proper to be done, as to the Making Billingsgate a Precinct or Town. In the House of Representatives, Read & Concurr'd and that Mr John Dyer, & Mr Israel Tupper, be added to the Committee, the Charge of the Committee to be born, by the Inhabitants of Billingsgate.

In Council, Read & Concurred. [*Passed November 27.*

CHAPTER 195.

VOTE FOR SURVEYING PROVINCE LANDS NEAR DORCHESTER.

Legislative Records of the Council, xi., 421.

WHEREAS Samuel Thaxter Robert Spurr & John Quincy Esq^rs were appointed, a Committee of this Court, to Sell a Tract of Land, Lying

[1] The House Journal inserts, "well and sufficiently."

adjacent to the Town of Dorchester, and were in a very rude manner Interrupted in the Work of Surveying and Running the Lines thereof;

Ordered, That the above Committee be appointed by this Court, to run the Said Lines again, and if they find any persons have Got into possesion, of the Premises, that they[1] report the Same to this Court, That So the attorney General bring forward a proper Writt in ye Law to Eject all Such. [*Passed November 28.*

House Journal, p. 17. *Ante*, p. 50, chap. 109; p. 159, chap. 3; p. 167, chap. 25.

CHAPTER 196.

RESOLVE ALLOWING £1. 10 TO COLL: WILL^M^ DUDLEY.

AN ACCOMPT presented, by Coll: William Dudley, of the Subsistance of Soldiers, Impress'd in his Majesties Service,, amo^t^ to Thirty Shillings.

[Read and]

Resolved[2] That the Sum of one pounds[3] & Ten Shillings, be allowed & paid out of the publick Treasury, in full Discharge of the Said Accompt. [*Passed November 29.*

Legislative Records of the Council, xi., 423.

House Journal, p. 17.

CHAPTER 197.

ORDER ON PETITION OF Y^E^ ENGLISH INHABITANTS OF PUNCAPAUG FOR CONFIRMATION OF INDIAN LEASES.

A PETITION of Hezekiah Squaumaug & others Indian proprietors of the Plantation of Puncapaug pray^g^ that they may have Liberty to make Grants & Conveyances of Some of their Lands to their English Neighbours and that this Court would appoint a Committee to go to the Said place in Order to Regulate Several things that are amiss among them. And, A Petition of Joseph Tucker, & others English Inhabitants of Puncapaug, praying that, the Leases they have taken, of Indian Proprietors, may be Confirmed to them, to the End of the Term for which they were Given and, that they may have Liberty Granted them, by an order of this Court, to purchase the Reversions of the Said Lands of the Said Indian Proprietors.

In Council,

Ordered, That Samuel Sewall & Sam^ll^ Thaxter Esq^rs^ be a Committee, with Such as the Honb^le^ House Shall Appoint, to Examine as well the Complaints, & Petitions of the, English & Indians at Puncapaug as the Leases[4] and Report what may be proper to be done thereupon to this Court. In the House of Representatives, Read & Concurred, & Mr Isaiah Tay, Mr Ebenezer Stone, & John Quincey, Esq^rs^ are added to them the Charge of the Committee to be born by the English, Petitioners.

In Council, Read & Concurred. [*Passed November 30.*

Legislative Records of the Council, xi., 424.

House Journal, p. 21.

[1] From this word on the House Journal reads, "direct the Attorney General to bring a Writt of Trespass and Ejectment against all such."

[2] The House Journal reads, "*Ordered.*"

[3] *Sic.*

[4] Lessees. The House Journal adds, "of those Lands."

CHAPTER 198.

RESOLVE ALLOWING £9. 12 TO MAJR SHUBAEL GOREHAM.

Legislative Records of the Council, xi., 426.

House Journal, p. 22.

AN ACCOMPT presented by Majr Shubael Gorham for Billeting Soldiers, Impressed into his Majesties Service, Amot to, the Sum of £9. 12/.

[Read and]

Resolved,[1] That the Sum of Nine pounds, Twelve Shillings be paid to him, out of ye publick Treasury, in full of the Said Accompt. [*Passed December 1.*

CHAPTER 199.

ORDER ON THOS SAWENS PETITION FOR PURCHASE OF MILL PRIVILEGES FROM INDIANS.

Legislative Records of the Council, xi., 426.

House Journal, p. 23.

A PETITION of Thomas Sawen, of Natick Shewing that, he did many years ago, by Leave of the General Court, Erect a Corn Mill, for the Benefitt, of the Indian Inhabitants, on a Stream, belonging to them, in the Said Town Which Stream, is lately So Choaked up, that the Said Mill can be no further Serviceable, and there being a place on Charles River near the Meeting House, in Natick, that Lyes Conveniently for a Mill, & the Stopping the Waters, there not being likely to Hurt any mans property, Therefore praying that Leave may be Given, him by this Court, to purchase of the Indians of Natick, the Priveledge of their Stream, & So much of their Common Land, as may be Convenient, for a Mill Yard, & the Spot for Erecting & Building a Saw Mill & Corn Mill upon, which will be for the Benefitt of the Said place. In the House of Representatives[2] Read &

Ordered, That, Spencer, Phips Esqr with Such as the Honble House Shall appoint be a Committee, to View the place proposed, in the within petition, & make report to this Court, if the prayer thereof may be Granted, without Damnifying the, Property of particular persons, or obstructing the passage of the Fish in the Said River, The Charge to be born by the petitioner. In the House of Representatives Read & Concurred, &

Ordered, That Mr Francis Fulham & Mr Ebenezer Stone be added to him.[3] [*Passed December 3.*

CHAPTER 200.

ORDER ON PETITION OF SHUBAEL GOREHAM ESQR PRAYING RELIEF FOR DAMAGE CAUSED BY A WATER MILL.

Legislative Records of the Council, xi., 427.

House Journal, p. 24.

A PETITION, of Shubael Goreham Esqr Shewing that at the last Court of General Sessions of the peace, for the County of Barnstable, he preferred his, Petition to the Justices of the Said Court, Setting forth that, whereas Elisha Parker and Jonathan Hallett had Erected a Water Mill, above a Pond of Water, adjoyning to the Petitioners Land, the Pond was

[1] In the House Journal, "*Ordered*."

[2] *Sic*, for "In Council," as the order itself shows. See also the House Journal, where the order is "Sent *down* for Concurrence."

[3] *Sic*, for "the Committee," as in the House Journal.

so raised, that it overflowed his Said Land, to his great Damage & praying the relief which the Law directs, and although the Law is Express, that in the petitioners Case, relief shall be had, by a Warrant from, the Sessions, to Summon a Jury, Yet the Said Court denied Relief to the Petitioner and therefore praying, that this Court, would in their Wisdom, provide him a Sufficient Remedy.

[Read and]

Ordered that the Justices, in the Next[1] General Sessions of the peace for the County of Barnstable, be and hereby are directed to appoint a Jury in the Usual Method, of Twelve Good & Lawfull Men, of that County to go on the Land damnified, by the overflowing, Caused by the Mill Dam Mentioned in the petition, & thereby[2] their oath to be administred to them by a Justice of the peace, Apprize the damage accruing to[3] the Owner of the over Flowed Land, & that the Value thereof, with Costs, be awarded according to, Law, any Custom, Usage, or practice to the Contrary notwithstanding. [*Passed December 4.*

CHAPTER 201.

RESOLVE ON JACOB SEEKNOUTS PETITION IN REGARD TO AFFAIRS OF CHEBAQUEDOCK.

Resolved, That Melatiah Bourne[4] Esqr & Simeon Butler be & hereby are Impowered & directed Jointly to act & transact all Matters, & things relating to the Incomes & Profitts of the Island of Chebaquedock, according to an Award or detirmination, made by the Honb^{le} Joseph Dudley, William Tailer Samuel Sewall[5] & John Cushing Esq^{rs} thereto Authorized & Impowered; which was ratified, & Confirmed by the General Court, Anno 1715, and for the preventing of any abuse unto the Indians;

Legislative Records of the Council, xi., 428.

House Journal, pp. 19, 21. *Ante*, p. 212, chap. 153.

Ordered, That the Said Melatiah Bourne & Simeon Butler shall Annually & once Every year In the Month of June accompt with & pay in the Profitts & Rents of the Said Island of Chebaquedock, to the Said Jacob Seeknout & his people & lay before this Court the accompt of the Issues, & profitts of the S^{d} Island, in order to their Examination, & approbation, & that the Said Melatiah Bourne, & Simeon Butler be directed to Call to an accompt the Heirs Executors & administrators, of Benj^{a} Haues late Attorney to the Said Sachem, for the Rents profitts & Incomes of the S^{d} Island of Chebaquedock, for the last Seven Years, which The Said Haws has Received, & not paid, & accompted for. [*Passed December 4.*

CHAPTER 202.

RESOLVE ALLOWING £30. 4. 6 TO GREEN & KNEELAND.

An Accompt presented, By Bartholemew Green & Samuel Kneeland of Printing the Votes of the House of Representatives Amo^{t} to £30. 4. 6.

Legislative Records of the Council, xi., 429.

[Read and]

Resolved, That the Sum of Thirty pounds Four Shillings & Six pence be allowed & paid out of the publick Treasury, to Bartholemew Green & Samuel Kneeland, in full of the Said accompt. [*Passed December 5.*

House Journal, p. 25.

[1] For the words "in the next," the House Journal reads, "of the."
[2] The House Journal separates "thereby" into two words, — "there by."
[3] For "accruing to," the House Journal reads, "warning."
[4] This name does not appear in the House Journal.
[5] The House Journal here inserts, "*Penn Townsend.*"

CHAPTER 203.

ORDER ON JOHN GORE'S PETITION FOR LICENSE TO KEEP AN INN.

Legislative Records of the Council, xi., 429.

House Journal, p. 7.

A PETITION of John Gore of Roxbury Setting forth that by an unhappy accident, he was blown up by Gun Powder, & by that means rendered a Cripple, and uncapable of Labouring for the Support of himself & Family, and therefore praying, that this Court would Grant them a Licence to keep an Inn in the Said Town.

Read &

Ordered, That the Justices of the peace for the County of Suffolk be directed at their Next Session, to Enquire into the Subject matter of this petition and be Impowered to Grant the petitioner, a Licence to keep a Publick House, if they Judge it proper, & Necessary,[1] Any Law Usage or Custom to the Contrary notwithstanding. [*Passed December 5.*

CHAPTER 204.

ORDER ON W^M JENKS PETITION PRAYING THAT THE LINE OF MENDON BE RUN.

Legislative Records of the Council, xi., 430.

House Journal, p. 28.
Ante, p. 134, chap. 88.

A PETITION of Wm Jenks in behalf of himself & Sundry others, of the Town of Providence, Praying that a Surveyour, & Chain men under oath may be appointed to run the Lines of the Town of Mendon, in order to its being ascertained, whither the Nine hundred Acres of Land to them Granted Ly within the Bounds of the Said Town and if it does, that their Grant may be taken up Elsewhere

Read &

Ordered, That the prayer of the petition be so far Granted, As[2] that Samuel Thaxter Esqr, be appointed to Survey the Town of Mendon, & Make Report of his doings therein to this Court. [*Passed December 6.*

CHAPTER 205.

RESOLVE ON WILLIAM WARD & OTHERS OF NEWTON THEIR PETITION IN REGARD TO THEIR ANNEXATION TO ROXBURY.

Legislative Records of the Council, xi., 431.

House Journal, pp. 2, 20.
Province Laws, ix., 337, chap. 166; 418, chap. 87; 434, chap. 122.

A PETITION of William Ward, Phillip White, Nathl Healy, Edward Ward, Daniel Colburn, & John Wardell, Shewing that notwithstanding the Order of the General Court, whereby they were Sett off from Newton, As to the Support of the Ministry there, & placed to the South Precinct in Roxbury, The Inhabitants of the Said Town of Newton, have rated them to the Ministry, there & Imprisoned Some of them for not paying the Same, & praying that this Court would Redress these their Greivances, & take Such Care that Neither their Estates, nor persons may be in danger from the officers, that Act Contrary to the Order of the General Court. Read, & the Answer of the Town being read also,

Resolved, That the Vote of the Inhabitants of Newton Referring

[1] The words following do not appear in the House Journal.
[2] For the words "so far granted as," the House Journal reads, "granted, and."

to the Building of their Meeting House, & the Confirmation thereof, by the General Court, does not oblige the Six Families[1] to pay to the Annual Support of the Ministry at Newton. [*Passed December 7.*

CHAPTER 206.

ORDER ON THOM^S DRURYS PETITION FOR LICENSE TO PURCHASE INDIAN LANDS.

A PETITION of Thomas Drury of Framingham, praying Liberty from this Court to purchase of the Indians at Hassinimisco, a place in the Said Plantation Called the Falls which is Convenient for a Mill, and a Tract of Land Thereabout, for the Settling of himself & his Family, which the Said Indians are willing to Sell to him for a Reasonable Consideration, In the House of Representatives, Read &

Legislative Records of the Council, xi., 431.

House Journal, pp. 26, 28.

Order^d That Mr Ward Mr Remington, & Mr Chandler, be a Committee to Repair to Hassanimisco, View the Land petitioned for, & Set a Value upon the Same, to receive the Claims of the Natick Indians to the Land & make their report to the Court in their May Session, The Charge of the Committee to be paid by Mr Thos Drury, In Council Read & Concurr'd &

Ordered, That Thos Fitch, & Spencer Phips Esq^rs be Joined with the Committee of the House, for the affair above In the House of Representatives, Read & Concurr'd Provided Thos Fitch, & Spencer Phips Esq^rs Go in the Room of Mr Remington, & Mr Chandler.[2] [*Passed December 7.*

CHAPTER 207.

RESOLVE ACCEPTING THE COMMITTEES REPORT OF BURNING TORN & DEFACED BILLS.

IN OBEDIENCE to, an Order of the Great & General Court at their present Session, appointing us the Subscribers a Committee to take an Accompt of Province Bills of Credit, that are Torn & defaced wee have Accordingly Received of Mr Treasurer Allen the Several Bills, of the denomination in the Accompt above, amo^t to the Sum of Four Thousand Five hundred & Eighty Seven pounds Seven Shillings at their Express Value all which Bills, Wee have Consum^d To Ashes, Whereof £4,087. 7, part of the aforesaid Sum, was delivered as on the Accompt, of the £50,000 Loan, Neet Bills, Received, of the Trustees mentioned on the other Side, also £500, Neet Bills received in Exchange for the Like Sum, in Penny, Two penny & three penny Bills, Granted by the General Court, at their Session in May last; making in the whole Four Thousand Five hundred & Eighty Seven pounds, Seven Shillings As, Witness our hands, the Fourth of Decr 1722,

Legislative Records of the Council, xi., 432.

House Journal, p. 26. *Ante*, p. 181, chap. 66.

W^M DUDLEY	CHA: CHAMBERS
JOHN DYER	PENN TOWNSEND
ADAM WINTHROP	THO^S HUTCHINSON
W^M CLARKE	THO^S FITCH

Read and

Resolved that the Said Report be accepted, and that the Treasurer be discharged accordingly. [*Passed December 7.*

[1] For "families," the House Journal has "Inhabitants."

[2] Nothing further is recorded, except the entry, in the usual form, "Consented to," of the Governor's approval.

CHAPTER 208.

ORDER ON GEORGE PITTS PETITION IN REGARD TO AN APPEAL.

Legislative Records of the Council, xi., 433.

House Journal, p. 28.

A PETITION of George Pitts of Sudbury, Shewing that at an Inferiour Court, for the County of Middlesex, held in September last, he obtained a Judgment against Richard & Joseph Graves, from which they appealed to the next Superiour Court, but did not prosecute their appeal and the petitioner, being Ignorant of the Methods prescribed in the Law, did not appear at the Said Court, to have Confirmation of the Judgment, by reason of which Omission, he is deprived of the Benefitt of that Judgment, & therefore praying relief from this Court. In the House of Representatives, Read together with the Answer, of Mr Joseph Graves, thereto, &.

Ordered, That Richard & Joseph Graves have Leave to prosecute their appeal, at the Next Superiour Court, to be holden at Charlestown for the County of Middlesex, on the last Tuesday of January next, & to Enter their Reasons of Appeal according as the Law directs, & upon their Failure the Sd George Pitts have leave to Enter his, Complaint, in Order to the Confirmation of the Judgment Obtained, at his Majesties Inferiour Court of Common pleas, holden at Concord, for the County of Middlesex, by adjournment on the 19th of September 1721.

In Council, Read, & Concurred, & that, the Justices of the Superiour Court, of Judicature, be Impowered and directed, to proceed in the affair Accordingly.

In the House of Representatives, Read & Concurred. [*Passed December 7.*

CHAPTER 209.

ORDER GRANTING MAJR LEONARD VASSALLS PETITION FOR REMISSION OF DUTIES ON NEGROES IMPORTED.

Legislative Records of the Council, xi., 434.

House Journal, p. 30.

A PETITION of Majr Leonard Vassall, praying that he may be remitted the Impost Stated by Law, for Nine Negroes he has brought hither for the Service of his Family and not to make any merchandize of them.

Read &

Ordered That the prayer of this petition be granted. [*Passed December 7.*

CHAPTER 210.

ORDER ON PETITION OF SUNDRY INHABITANTS OF THE NEW PARISH, IN MIDDLEBOROUGH &cA AS TO SUPPORT OF THE MINISTRY.

Legislative Records of the Council, xi., 480.

House Journal, p. 29.

Province Laws, ix., 666, chap. 40.

A PETITION of Sundry Inhabitants of a tract of Land, partly in Taunton & partly in Middleborough, lately set off as a distinct Precinct, Shewing that they are Under Several difficulties, as to their Support of the Ministry & More Especially upon their Lying in two distinct Counties & praying, that this Court would do that for their Assistance, & Relief, which in their Great Wisdom, they Shall think Best.

Read &

Ordered That Some one of the Justices of the peace for the County of Plimouth do upon application of one or more of the Inhabitants of

the New Precinct in Middleborough &c^a grant a Warrant for the Calling a Meeting, of the Inhabitants of the Said Precinct, at Some Convenient place within the Said precinct, Sometime in the Month of March Next, to Chuse a Committee & all other officers, by Law Required, & Necessary for the Carrying on the affairs of the Precinct, & that then they proceed to Build a Meeting House Settle a Minister & perform all Duty, that they Shall Stand Obliged to as a precinct, & upon their Neglect, of their duty in that Respect they be obliged to Answer at the Court of General Sessions of the peace within the County of Plimouth & that the Said Court be directed & Impowered to Execute the Laws, for the Support of the Ministry upon them, & to Inflict the pains & penalties thereby due in Case of their Neglect of What the Law Requires of them, as a Precinct, their Being. part in the County of Bristoll Notwithstanding, & for the Better Enabling them to Carry on the Charge of the Worship of God among them, they be Impowered to Assess or Tax, the Unimproved Land within the Said Precinct at an half penny an Acre per Year for Six Years Next Coming towards the Support of the Worship of God in the S^d precinct

And it is further

Ordered That John Cushing & Sam^ll Thaxter Esq^rs, with Such as the Honbl^e House of Representatives, Shall Appoint be a Committee to fix & detirmine the place for Erecting a Meeting House in the S^d precinct The Charge of the S^d Committee to be born by the Precinct. [*Passed December 7.*[1]

CHAPTER 211.

ORDER FOR A HEAR^G ON THE MEMORIAL OF THE TRUSTEES FOR IPSWICH SCHOOL HOUSE.

In the House of Representatives, whereas a hearing[2] between Sarah Cogswell, & the Trustees for the Use of the School of Ipswich was appointed to be on the first[3] Tuesday of this Session, but Omitted, because John Wainwright Esqr was Employed in the Service of this House.

Legislative Records of the Council, xi., 435.

House Journal, p. 30.

Ante, p. 197, chap. 104.

Ordered, that it be had on the Fourteenth day of this Month,[4] & that Sarah Cogswell, be Served with a Copy of this Order,[5] In Council, Read & Concurr'd. [*Passed December 8.*

CHAPTER 212.

RESOLVE ALLOWING £20 AND A PENSION TO DAN^L TUCKER.

A petition of Daniel Tucker, Praying Some allowance in Consideration of the Wounds he Rec^d thrô his Body, in the Service ags^t the Indians.

Legislative Records of the Council, xi., 435.

[1] According to the Secretary's record the foregoing action took place on January 8. But the House Journal contains the fuller record, and probably is correct, especially as final action was taken in the House of Representatives. According to the House Journal, the Council passed the orders given *supra* in the forenoon of December 7; the House non-concurred, and substituted a new order; in the afternoon of the same day the Council non-concurred in that order, and insisted upon its own action; and the House non-concurred.

[2] Upon a memorial, also called a petition, by the trustees of the Ipswich school. — Legislative Records of the Council, xi., 367.

[3] The House Journal reads, 2*d*.

[4] The House Journal here inserts, "*John Wainwright* Esq; being returned."

[5] On hearing, according to this order, the memorial was dismissed. — Legislative Records of the Council, xi., 443.

House Journal, p. 31.

Read &

Resolved That the Sum of Twenty pounds be allowed & paid out of the publick Treasury to ye Said Daniel Tucker for Two years past, & Fifteen pounds p^r annum for time to Come, during the pleasure of this Court. [*Passed December 10.*

CHAPTER 213.

RESOLVE GRANTING ALLOWANCES ON THE MEMORIAL OF PAUL DUDLEY &c^A ESQ^RS COMMISSRS: TO ALBANY.

Legislative Records of the Council, xi., 436.

Executive Records of the Council, vii., 308. House Journal, p. 32.

A MEMORIAL of Paul Dudley Sam^ll Thaxter & John Stoddard Esq^rs Setting forth That in the Year 1721, They were appointed by the Govr & Council, to proceed to Albany to meet the Five nations with a present from this Government that they undertook a Long & Troublesome Journey to Albany Accordingly, for which they have as Yet received no Consideration, & therefore praying an allowance for the Same.

[Read Accepted and]

Resolved That the Sum of Fifteen pounds be allowed & paid out of the publick Treasury, to Paul Dudley Esqr The Sum of Eighteen pounds to Samuel Thaxter Esqr for their time not Charged in their Accompt,[1] and the Sum of Twelve pounds to John Stoddard Esqr for himself & horse Hire, He being not So long in the Service.[2] [*Passed December 11.*

CHAPTER 214.

RESOLVE ALLOWING £6 TO JON^A LAMB.

Legislative Records of the Council, xi., 436.

House Journal, p. 31.

AN ACCOMPT presented By Jonathan Lamb of the Charge of Transporting, Provisions for the Soldiers to Rutland amo^t to, £6.

[Read Accepted and]

Resolved, that the Sum of Six pounds be allowed & paid out of the publick Treasury to Mr Jonathan Lamb, in full discharge of the Within Accompt. [*Passed December 11.*

CHAPTER 215.

RESOLVE ALLOWING £41. 7. 6 TO DISCHARGE CAP^T JOHN ALDEN'S PORTLIDGE BILL FOR SLOOP TWO BROTHERS.

Legislative Records of the Council, xi., 436.

House Journal, p. 32.

A PORTLIDGE BILL of the Sloop Two Brothers Capt John Alden, Mr Taken up to transport, the Commissioners & the Delegates of the Five Nations to the Eastward, Containing an Accompt of the Hire of the Said Sloop & the Wages due to the Said Master, & Company for their Service, from Octob^r 9th to Novr the 9th 1722, Amo^t to the Sum of £41. 7. 6.

[Read Accepted and]

Resolved that the Sum of Forty one pounds Seven Shillings & Six pence be allowed and paid out of the publick Treasury to Cp^t John Alden in full discharge of the Said accompt.[3] [*Passed December 11.*

[1] For the words "their time not . . . Accompt," the House Journal reads, "his Horse-hire (not being charged in their former accompts)."

[2] For "in the Service," the House Journal reads, "on the Journey."

[3] The House Journal adds, "the several Articles of charge being what is customary (except his own allowance, which was by Contract.)"

CHAPTER 216.

RESOLVE ALLOWING £10 TO DANIEL MACCOON.

Resolved that the Sum of Ten pounds be allowed and paid out of the publick Treasury, to Jonathan, Remington Esqr for the Use of the petitioner Daniel Maccoon in Consideration of money paid by him for Cure of the wounds, he received in the Service and Loss of his time. [*Passed December 11.*

Legislative Records of the Council, xi., 437.

House Journal, p. 32.

CHAPTER 217.

RESOLVE ALLOWING £17. 11. 5 TO COLL: JOHN STODDARD.

An Accompt presented by Coll: John Stoddard of Sundry Charges by him paid, for the Delegates of the Five Nations, Amounting to £17. 11. 5.

[Read, Accepted and]

Resolved, That the Sum of Seventeen pounds Eleven Shillings and Five pence,[1] be allowed & paid out of the publick Treasury to Coll: John Stoddard in full discharge of the Said Accompt. [*Passed December 11.*

Legislative Records of the Council, xi., 437.

House Journal, p. 31.

CHAPTER 218.

RESOLVE ALLOWING £8. 13. 6 TO JOHN LARRABEE.

A Petition of John Larrabee Setting forth that he has been Employed, to deliver out the Provisions to the Garrison at Castle William, & praying a proper allowance for his Trouble & Care therein, from March last.

Read [accepted] &

Resolved That John Larrabee, the petitioner be allowed & paid out of ye Publick Treasury, the Sum of Eight pounds Thirteen Shillings & Six pence in full of his Service, mentioned in his petition to ye 29th day of Novr last, at Five Shillings p^r Week. [*Passed December 11.*

Legislative Records of the Council, xi., 437.

House Journal, p. 32.

CHAPTER 219.

RESOLVE ALLOWING £40 TO SAMUEL GOOKIN.

An Accompt presented by Samuel Gookin J^r of Subsisting the Indian Hostages, to the 29th July last Amo^t to the Sum of £62. 7. 6.

[Read, Accepted and]

Resolved, That the Sum of Forty pounds, be allowed & paid out of the publick Treasury to, Samuel Gookin J^r in full discharge of the within Accompt. [*Passed December 11.*

Legislative Records of the Council, xi., 437.

House Journal, p. 31.

[1] In Mass. Archives, cxxiii., 260, and in Executive Records of the Council, vii., 423, £27. 11. 5.

CHAPTER 220.

RESOLVE ALLOWING £16. 13. 8 TO ELIZABETH SMITH.

Legislative Records of the Council, xi., 439.

House Journal, p. 32.

A PETITION of Elizabeth Smith, Widow of Seth Smith, Late Prison keeper, at Boston Dec^d Setting forth That Ovid Rushbrook, & John Blyn Prisoners, Committed for Counterfeiting the Bills of Credit on this Province, were for a long time Subsisted at the Charge of the Said Seth Smith, & praying that what is due to her may be allowed out of the publick Treasury, She having no other Way to be Reimbursed that Charge, but from the publick.

Read &

Resolved, That the Sum of Sixteen pounds, Thirteen Shillings & Eight pence be allowed & paid out of the publick Treasury to the petitioner Elizabeth Smith, in full of what is[1] due to her husband, & to her Since his Death, & that the Respective Sums Charged to the S^d Ovid RushBrook, & John Blynn be added to the Bill of Cost and paid by them before discharged. [*Passed December 11.*

CHAPTER 221.

ORDER ON MAJ^R SAM^LL MOODEYS PETITION IN REGARD TO COMPLAINTS OF HIS CONDUCT.

Legislative Records of the Council, xi., 440.

Legislative Records of the Council, xi., 397, 398, 401. House Journal, p. 34.

A PETITION of Maj^r Samuel Moodey Praying that he may have Liberty to answer before the Whole, Court to Several Complaints preferr'd against him, Reflecting upon his Conduct, in the publick Service.

Read And,

Ordered that the Secretary, forthwith Issue out Warrants, directed to a Messenger, to Summon the Several Persons, that Gave in their Evidences, ags^t Maj^r Samuel Moodey, at the Session of this Court in August last, to appear before this present Session, of the General Court Next Wednesday, and that the Secretary further Give out Warrants[2] to the Said Messenger, to Summon before this Court at the Same time the persons following, Viz^t George Darling of Charlestown, Samuel Cob, now of Glouster late Town Treasurer of Falmouth, Jacob Collins of Lynn, Daniel Ingersoll of Boston Henry Newell Now of Boston, & John Haggatt of Medford, to give in their Respective Evidences of what they know touching the Management of Maj^r Moodey & his Company, & the Several Complaints laid before this Court ags^t him. [*Passed December 12.*

CHAPTER 222.

RESOLVE ALLOWING £12. 5 TO JACOB & DAN^L TILTON.

Legislative Records of the Council, xi., 441.

House Journal, p. 33.

A PETITION of Jacob & Daniel Tilton praying an allowance from this Court, in consideration of their Wounds received from the Indians the last Summer, & their Great Loss Sustained from the Said Indians, Read &

Resolved that the Sum of Twelve pounds & Five Shillings be allowed

[1] In the House Journal, "was."
[2] "Summons," in the House Journal.

& paid out of the publick Treasury to Jacob & Daniel Tilton, on account of the Charge they have been at, for the Cure of their Wounds. [*Passed December 12.*

CHAPTER 223.

RESOLVE ALLOWING £76. 11 TO BARTH° GREEN.

AN ACCOMPT presented By Bartholemew Green of the Charge of Making the Penny Two penny & three penny Bills, Amo^t to the Sum of £76. 11.

[Read, and]

Resolved That the Sum of Seventy Six pounds Eleven Shillings[1] be allowed & paid out of the publick Treasury to Bartholemew Green, in full discharge of the Said accompt. [*Passed December 12.*

Legislative Records of the Council, xi., 441.

House Journal, p. 35. *Ante*, p. 181, chap. 66.

CHAPTER 224.

ORDER ON JARED TALBOTS & NATH^L & TIM° HALLOWAYS PETITION FOR CONTINUANCE OF PETITION FOR PERPETUAL INJUNCTION.

Legislative Records of the Council, xi., 442.

UPON APPLICATION made by Nathl Halloway (now a prisoner in Bristoll Goal, on Execution) desiring that the Consideration, of this petition[2] may be deferr'd to the May Session.

Voted, That Nathl & Tim° Halloway give in their answer, to this petition on the Second Wednesday of ye Said Session, (if they See Cause) and that the petitioner notify them of this Vote. [*Passed December 13.*

Legislative Records of the Council, xi., 417. House Journal, p. 37. Province Laws, ix., 314, chap. 96; 359, chap. 36.

CHAPTER 225.

ORDER ALLOWING £125 REWARD TO CAP^T HARMAN & C° FOR DESTROYING THE INDIANS.

Ordered that the Sum of one hundred, & Twenty Five pounds, be allowed and paid out of the publick Treasury, to Cp^t Johnson Harman, & the Company that were with him, & assisted in destroying, So many of the Indian Enemy, at Merry meeting Bay, Viz^t Twenty Five pounds to Capt Harman, and the remaining Hundred, to be Equally divided among, the men that assisted, in that affair. [*Passed December 13.*

Legislative Records of the Council, xi., 442.

House Journal, p. 34.

[1] According to Executive Records of the Council, vii., 426, and the House Journal the amount was £79. 11.

[2] "A Petition of Jared Talbot Esqr Shewing that Upon his petition to the General Assembly, in the Year 1714, Setting forth, that he purchased from Nathl & Timothy Halloway a Certain tract of Land, which they had taken In Execution from Nicholas Moorey, & Gave his Bond, for the payment of part of the Consideration Money, which the Halloways afterwards put in Suit, and Pending the Suit, The Said Moorey obtained an Order from the General Court, for a New Trial; upon which the Petitioner (after Judgment was given against him upon the Said Bond) fearing lest Moorey should recover Back the Said Land, applied to the General Court praying that Execution might be Stayed, till the Issuing of Mooreys Trial; which they accordingly Ordered, but Moorey recovering Back the Said Land, & the Suspending the Execution of the Judgment on the Petitioners Bond, being only Temporary, & the Said Halloways having brought forward a Writt of Scire Facias against the Petitioner, therefore praying that, the Said Injunction in his Favour may be made perpetuall." — Legislative Records of the Council, xi., 417.

CHAPTER 226.

RESOLVE ALLOWING £19. 14. 6 TO W^M PATTIN.

Legislative Records of the Council, xi., 442.

House Journal, p. 37.

AN ACCOMPT presented By William Pattin of the Charge of an Entertainment, Given by the House to the Delegates of the Five Nations, Amo^t to the Sum of £19. 14. 6.

[Read, and]

Resolved That the Sum of Nineteen pounds, Fourteen Shillings & Sixpence, be allowed & paid out of the publick Treasury, to, William Pattin, in full Discharge of the Said Accompt. [*Passed December 14.*

CHAPTER 227.

RESOLVE ALLOWING £9,544. 8. 5 TO THE TREASURER ON ACCO^T OF DISBURSMENTS.

Legislative Records of the Council, xi., 443.

Legislative Records of the Council, xi., 401. House Journal, p. 35. *Ante*, p. 215, chap. 161.

AN ACCOMPT, presented, by Mr Treasurer Allen of Disbursments, for provisions Cloathing & other Stores for the Forces, Eastward & Westward, & for the Garrisons, Amo^t to, the Sum of £9,544. 8. 5.

[Read, Accepted and]

Resolved That the Sum of Nine Thousand Five hundred & Forty Four pounds Eight Shillings & Five pence, be allowed & paid out of the publick Treasury to Jeremiah Allen, Esqr Treasurer in full discharge of his Said Accompt. [*Passed December 14.*

CHAPTER 228.

ORDER ABOUT Y^E BRIDGES AT HASSANIMISCOE.

Legislative Records of the Council, xi., 443.

House Journal, p. 37. Province Laws, ix., 617, chap. 77.

Ordered That Mr Chandler Mr Ward & Mr Whittamore be a Committee to Repair to Hassanimiscoe, State the places, where the Bridges must be built, & lay out a Way to the Bridges, through the Province Lands, & Lands belonging to the Indians, and make their Report thereon to this Court. [*Passed December 14.*

CHAPTER 229.

RESOLVE ALLOWING £76. 5. 7 TO JOHN WAINWRIGHT

Legislative Records of the Council, xi., 443.

House Journal, pp. 4, 32.

AN ACCOMPT presented By John Wainwright Esqr of the Charge of the Committee of The House, Sent down to View the Forces Eastward, amo^t to the Sum of £76. 5. 7.

[Read, and]

Resolved, That the Sum of Seventy Six pounds, Five Shillings & Seven pence, be allowed & paid out of the publick Treasury, to John Wainwright Esqr in full discharge of the Said Accompt. [*Passed December 15.*

CHAPTER 230.

RESOLVE ALLOWING £33. 17. 6 TO DISCHARGE WESTERN COMMITTEE'S ACCOT.

An Accompt presented By John Quincy, Esqr & Edward White a Committee of the House for Viewing, the Forces Westward Amot to the Sum of £33. 17. 6,.

[Read, and]

Resolved that the Sum of Thirty three pounds Seventeen Shillings & Six pence, be allowed & paid out of ye publick Treasury to Mr Edward White & John Quincy Esqrs in full Discharge of the Sd Accompt. [*Passed December 15.*

Legislative Records of the Council, xi., 444.

House Journal, pp. 5, 35.

CHAPTER 231.

ORDER APPOINTING A COMMITTEE ON FRANCIS BOWMAN & EPHRAIM ANGIERS PETITION.

A Petition of Francis Bowman Esqr Ruth Bowman, & Ephraim Angier, Executors of the last will & Testament of Mr Samuel Angier, late Minister of the Western Congregation in the Town of Watertown, Shewing that the Said Congregation were in Arrears to the Sd Mr Angier, in Considerable Sums and that by reason of the particular Circumstances of the Said Congregation & of Mr Angiers, agreement with them, The Said Executors Could not oblige them in the Common methods of the Law, to Accompt with them for the Said arrearages, & therefore praying, that this Court would Grant them Some proper Relief in the Premises.

In Council,

Ordered, That Jonathan Dowse Esqr with Such as the Honble House of Representatives Shall Appoint, be a Committee to Enquire into the Matters Contained in this petition, & Report to this Court, what they think proper, to be done, Unless the parties do in the Meantime, Compromise their differences. In the House of Representatives, Read & Concurred, & Jonathan Remington, & Charles Chambers Esqrs are added to them.[1] [*Passed December 17.*

Legislative Records of the Council, xi., 431, 444.

House Journal, p. 39.

CHAPTER 232.

RESOLVE ALLOWING £10 TO MARTHA GRAY.

A Petition of Martha Gray Praying an Allowance, from this Court in Consideration, of her Husbands, Being Killed in the publick Service against the Indian Enemy, & her own poor & distress'd Condition.

Read &

Resolvd That the Sum of Ten pounds, be allowed & paid out of ye publick Treasury, to the Select men of the Town of Boston, for the Use of ye Sd Martha Gray, for her Relief. [*Passed December 17.*

Legislative Records of the Council, xi., 444.

House Journal, p. 38.

[1] The House Journal reads "him" for "them."

CHAPTER 233.

RESOLVE ALLOWING £2. 18. 5 TO TYLLEY MYRICK.

Legislative Records of the Council, xi., 445.

House Journal, p. 37.

AN ACCOMPT of Tilly Myrick[1] of the Charges of the Delegates, of the Five Nations at his house, in Brookfield Amo^t^ to the Sum of £2. 18. 5.

[Read, and]

Resolved, That the Sum of Two pounds Eighteen Shillings & Five pence, be allowed & paid out of the publick Treasury to Tilly Myrick, in full discharge of the Said Accompt. [*Passed December 18.*

CHAPTER 234.

RESOLVE ALLOWING £8. 7 TO SAM^LL^ TYLEY.

Legislative Records of the Council, xi., 445.

House Journal, p. 40.

AN ACCOMPT presented By Samuel Tyley of Writing done for the publick, Amo^t^ to the Sum of £8. 7.

[Read, Accepted and]

Resolved That the Sum of Eight pounds & Seven Shillings,[2] be allowed and paid out of the publick Treasury to Mr Samuel Tyley the Accomptant in full discharge of the Said Accompt. [*Passed December 18.*

CHAPTER 235.

ORDER ON NEWTOWN PETITION IN REGARD TO FAMILIES SET OFF TO ROXBURY.

Legislative Records of the Council, xi., 445.

House Journal, p. 39.
Ante, p. 230, chap. 205.

A PETITION of Joseph Fuller & others a Committee in behalf of the Town of Newton, Shewing that Since the Order, of the Court for taking from them, William Wards, & the Five other Families, & placing them to the South precinct in Roxbury, They have Erected, a New Meeting House in Newton & placed it Commodiously, for the Said Six Families having a Regard to their Conveniency in altering the place of their Meeting House, To which they were Encouraged, by the Words of the Order, for the Removall, of the Said Six Families, & praying, that the Said William Ward, & the Rest may be Restored to them again, or that they may be heard on the Said Petition, Read &

*Order^d^* that it be referr'd to the Second Wednesday of the Next May Session & that the adverse Party be notified & Served, with a Copy thereof, That they may Shew forth, Why the prayer of this Petition, should not be granted. [*Passed December 18.*

CHAPTER 236.

RESOLVE ALLOWING £8. 5. 6 TO JABEZ FAIRBANKS.

Legislative Records of the Council, xi., 449.

AN ACCOMPT presented by Mr Jabez Fairbanks, of his time and Charges, in Conducting Sundry Indians to Westfield, by order of this Court, amo^t^ to the Sum of £18. 5. 6.

[1] "*Tyms Tillymirick*," in the House Journal.
[2] The House Journal reads, £8. 4. 6.

[Read, Accepted and]
Resolved, That, the Sum of Eight pounds Five Shillings & Six pence, be allowed & paid out of ye Publick Treasury, to Mr Jabez Fairbanks, the Accomptant in full discharge of his Accompt, he having Rec^d Ten pounds already. [*Passed December 19.*

House Journal, p. 41. *Ante*, p. 211, chap. 147.

CHAPTER 237.

RESOLVE ALLOWING £11. 15. 5 TO COLL: NATH^L PAYNE.

An Accompt presented by Coll: Nathl Payne of Subsisting Soldiers Impressed for his Majesties Service, Amo^t to the Sum of £11. 15. 5.

Legislative Records of the Council, xi., 449.

[Read, Accepted and]
Resolved That the Sum of Eleven pounds Fifteen Shillings & Five pence be allowed & paid out of ye publick Treasury to Coll: Nathl Payne in full discharge of ye S^d Accompt. [*Passed December 19.*

House Journal, p. 41.

CHAPTER 238.

VOTE ON HATHAWAYS & WALKERS PETITION FOR RIGHT TO BRING AN EJECTMENT ON A JOINT PURCHASE OF LAND WITHOUT JOINING A THIRD PERSON AS PLAINTIFF WITH THEM.

A petition of John Hathway[1] Abraham Hathway[1] & Eleazer Walker, Shewing that the petitioners, together with Nathl Halloway, did Jointly purchase, Several tracts of Land, to the Value of Twelve hundred pounds, of Timothy Halloway Brother to the Said Nathl, That, the Said Timothy Halloway keeps them out of the possession of the Said Lands, and Nathl Halloway Either in Favour to his Brother or for other Reasons refuses to Join with them in an Action to Eject the Said Tim^o, & therefore praying, That they may be Enabl^d by this Court to Commence an Action for the Premises, without the Concurrance of the S^d Nathl Halloway.

Legislative Records of the Council, xi., 449.

House Journal, p. 41.

Read & in answer to this petition.

Voted, That the petitioners be Enabled to bring forwr^d and prosecute in the Law a Writt or action of Ejectment in their own names, & also in the Name of Nathl Halloway, their Partner although he refuse to Join with them therein against Tim^o Halloway or the Tennant in possession for the Land (mentioned in the Deed of Purchase, referred to in the petition) or any Part thereof, And in Case they recover Judgment in such Action for possession to take out Execution accordingly, & the Justices of the Inferiour Court of Common pleas for the County of Bristoll are hereby directed to receive & detirmine the S^d Action accordingly, & in Case any appeal, be allowed on the Judgment, of the Said Inferiour Court, The Justices of the Superiour Court of Judicature to be holden for the Said County of Bristoll,[2] are also Impowered & directed, to hear & detirmine, Such appeal, any Law Usage or Custom to the Contrary Notwithstanding. [*Passed December 19.*

[1] "*Halloway*," in the House Journal.
[2] The House Journal inserts, "in *September* next."

CHAPTER 239.

ORDER ALLOWING £9. 7. 1 TO RICHIE LOVE.

Legislative Records of the Council, xi., 450.

House Journal, p. 31.

A PETITION of Richie and Robert Love, Praying that the Wages of Matthew Barns, their Servant in the Muster Roll of Capt Johnson Harman, may be allowed, to them out of ye publick Treasury, they being Stopped upon a Misrepresentation of the Sd Matthew Barns, his being an Inhabitant of ye County of York.

[Read, accepted and]

Ordered, That the Sum of Nine pounds Seven Shillings & one penny,[1] be allowed & paid out of ye publick Treasury to Richie Love. [*Passed December 19.*

CHAPTER 240.

RESOLVE ALLOWING £6 FOR MARM: KEMP.

Legislative Records of the Council, xi., 455.

House Journal, p. 43.

A PETITION of Marmaduke Kemp a Soldier wounded in his Majesties Service in Nova Scotia, Praying that he may have Some allowance; to bear the Charge of his Transportation, to England, which he is not able to do.

Read &

Resolved, That, the Sum of Six pounds be allowed & paid out of the publick Treasury to Mr William Clark, to be Employed for the Use of the Sd Marmaduke Kemp, in Order to get him a passage home. [*Passed December 20.*

CHAPTER 241.

RESOLVE ALLOWING £1. 3. 1 TO LUKE HITCHCOCK.

Legislative Records of the Council, xi., 455.

House Journal, p. 37.
Ante, p. 224, chap. 186.

AN ACCOMPT of Luke Hitchcock Esqr of Entertainment Given to Lawrence Clause, Interpreter to ye Five Nations.

[Read, accepted, and]

Resolved That the Sum of one pounds[2] Three Shillings, & one penny be allowed & paid out of ye publick Treasury, to Luke Hitchcock Esqr in full of the above Accompt. [*Passed December 20.*

CHAPTER 242.

RESOLVE ON BENJA SMITH'S PETITION, DECLARING A HOGREEVE A COMPETENT WITNESS UNDER THE ACT RELATING TO SWINE.

Legislative Records of the Council, xi., 455.

Province Laws, i., 730, chap. 16; 733; ii., 184, chap. 9.
House Journal, p. 40.

A PETITION of Benja Smith of Taunton Shewing that Being Hogreeve, of the Said Town, for the last year, he Suffered much in the Execution of that office, & praying Liberty for Reviewing an Action referring to his Said office, at the Next Inferiour Court at Bristoll, and likewise that this Court would detirmine, whither his Oath is not as Good & Lawfull Evidence, against Breaches of ye Acts Relating to Swine, Though he be a Hogreeve?

[1] The amount is left blank in the House Journal.
[2] *Sic.*

Read & the Question, being put, (Upon the Act for better Regulating of Swine) Whither the officer or Hogreeve, be a Legal Evidence; to Convict the owner of the Hogs, Notwithstanding his receiving Benefitt by the Fine or Forfeiture.

And it pass'd in the affirmative. [*Passed December 20.*

CHAPTER 243.

RESOLVE RELATING TO DEFAULT OF PAYMENT OF PROVINCE LOANS AND THE EQUITY OF REDEMPTION.

Resolved That the Commissioners in the Several Countys for the Hundred Thousand pound Loan of Province, Bills be Impowered, & Authorized, to Suffer & keep in possession untill The time of Redemption, is Expired, any person or persons, that have Surrendered, or been Ejected, out of their Estates for not paying the Principall Borrowed, & the Interest due thereon Provided, Such person, or persons become or attorn Tennants, to the S^d^ Commissioners, in the Several & Respective Countys in behalf of the Province, & by Some Suitable Way Secure the payment of the Rent; of & for Such Estates for time to Come, (which Shall Amount to the Interest of the Principall Money borrowed) or So much thereof as is Still outstanding, And provided Such Mortgager, noways make any Strip Wast, or Spoil on the Lands &c^a^ Mortgaged, And Where any person hath paid no Interest on his Mortgage, In Such Case before the Commissioners allow Repossession, he Shall pay all the Interest & Charges, due thereon, Provided Also and it is hereby Declared, That the Three Years Given by Law, for the Equity of Redemption, Shall Commence & Go, on, from the time that Either the Said Several Commissioners have taken, or may hereafter take Possession by Execution in Law, or the Surrender of ye Party, or the Attornment of the Tennant or Mortgager. [*Passed December 21.*

Legislative Records of the Council, xi., 456.

House Journal, p. 47. Province Laws, ii., 61, chap. 18; ix., 511, chap. 150.

CHAPTER 244.

ORDER ON PETITION OF Y^E^ INHABITANTS OF Y^E^ EAST END OF Y^E^ NORTH PRECINCT IN BRIDGEWATER.

A Petition of the Inhabitants of the East End of the North Precinct in Bridgewater, Shewing that it was Voted in the Said North Precinct, that they Should be Sett off a Seperate Precinct, when they Should be able to Maintain a Minister which, Vote, they Apprehend was Countenanced, if not Confirmed by the General Court, That they now look upon themselves Capable, of Giving an Honourable Support to a Minister, and therefore, praying that they may be Sett off, by a Streight Line, running through, the Center of the S^d^ North Precinct, and that Thirteen Familys, of Y^e^ South Precinct, may be added to them.

Read &

Ordered, That the North & South Precincts of the S^d^ Town, be Served with a Copy of this petition &c^a^, That they may Shew, Reason, (if any they have) why the prayer thereof Should not be granted, on the third Wednesday of May Sessions. [*Passed December 22.*

Legislative Records of the Council, xi., 458.

House Journal, p. 48. *Ante*, p. 30, chap. 63.

CHAPTER 245.

VOTE FOR THE TREASURERS GIVING NOTICE ABOUT PROVISIONS &c^A.

Legislative Records of the Council, xi., 460.

House Journal, p. 51.

Resolved, That the Treasurer Give Notice in the publick prints, & on the Exchange once Every month from April to October, That he is ready to Contract with those that Will Supply him, with Bread, Rum Mollosses, & Casks at the most reasonable Prices for present Money and that in Lieu of Bread he Buy wheat & Get it Baked at the Easiest rate, and that he take particular Care to Buy Every thing in the most Advantageous manner, for the Interest & Service of ye Province. [*Passed December 26.*

CHAPTER 246.

RESOLVE ALLOWING £5 TO JOSEPH KELLOG.

Legislative Records of the Council, xi., 461.

House Journal, p. 52.
Ante, p. 201, chap. 117.

A PETITION of Joseph[1] Kellogg, Setting forth That his allowance, made by this Court for his Journey to Canada, the last Spring, will not be Sufficient to pay ye Expences of that Journey, & praying Some further allowance.

Read [Accepted] &

Resolv^d That the Sum of Five pounds be allowed & paid out of ye publick Treasury to Mr Joseph Kellogg in full of his petition, & that the Debts Contracted in his Journey to Canada & unpaid be paid by Capt Thomas Baker[2] who received money out of ye publick Treasury, for that End. [*Passed December 27.*

CHAPTER 247.

RESOLVE ALLOWING £48. 16 TO COLL: JOHN WHEELWRIGHT.

Legislative Records of the Council, xi., 462.

House Journal, p. 53.

AN ACCOMPT presented by Coll: John Wheelwright of Billeting Soldiers in his Majesties Service Amounting to the Sum of £50. 16/.

[Read, Accepted and]

Resolved, That the Sum of Forty Eight pounds Sixteen Shillings, be allowed & paid out of ye publick Treasury to Coll: John Wheelwright, in full discharge of the within Accompt. [*Passed December 28.*

CHAPTER 248.

RESOLVE ALLOWING £4. 3 TO COLL: ELEAZAR TYNG.

Legislative Records of the Council, xi., 462.

House Journal, p. 53.

AN ACCOMPT presented by Coll. Eleazar Tyng of the Charge of Transporting provisions, for the Soldiers &c^a amo^t to the Sum of £4. 18/.

[Read, accepted, and]

Resolved that the Sum of Four pounds, Three Shillings be allowed, & paid out of ye publick Treasury to Coll: Eleazar Tyng the Accomptant, in full discharge of the within Accompt. [*Passed December 28.*

[1] "*Martin*," in the House Journal.
[2] The House Journal inserts, "of *Northfield*."

CHAPTER 249.

RESOLVE ALLOWING 40SH. TO EACH OF SEVEN MEN ON COLL: JOHN STODDARD'S CERTIFICATE.

A CERTIFICATE was presented by Coll: John Stoddard, that upon his receiving a Warrant from Coll. Samll Patridge for detaching Four Soldiers out of his Company for his Majesties Service, The Following persons did Voluntarily Enlist into his Majesties Service, upon the Encouragement in the Act for Levying & Regulating Soldiers, Vizt Joseph Clesson John Pomroy Ebenezer Miller, & Benoni Hill (with the Consent of his Master Daniel Nash) and upon a Second Warrant The Following persons did Enlist, Vizt Samuel Wright Thoms Alexander, & John Miller, upon the Same Encouragement and all, without the least Constraint.

Legislative Records of the Council, xi., 462.

House Journal, p. 53. Province Laws, ii., 225, chap. 1.

[Read and]

Resolved that the Sum of Forty Shillings be allowed & paid out of ye publick Treasury to Each of the Seven men, above mentioned, for Enlisting Voluntiers for ye Western Frontiers. [*Passed December 28.*

CHAPTER 250.

RESOLVE ALLOWING £6. 15. 9 TO CPT SAMUEL HINKS.

AN ACCOMPT presented by Capt Samuel Hinks of Disbursments for his Majesties Fort Mary at Winter Harbour, Amot to the Sum of £6. 15. 9.

Legislative Records of the Council, xi., 463.

House Journal, p. 53.

[Read and]

Resolved that the Sum of Six pounds Fifteen Shillings & nine pence, be allowed & paid out of ye publick Treasury to Capt Samuel Hinks in full discharge of the within accot. [*Passed December 28.*

CHAPTER 251.

RESOLVE ALLOWING £50 TO CPT THOS WESTBROOK.

A PETITION of Capt Thomas West Brook praying for Some further allowance, from the Government for the Great Expence he has been at in raising a Company of Voluntiers to go agst the Eastern Indians.

Legislative Records of the Council, xi., 463.

House Journal, p. 52.

Read &

Resolved, That the Sum of Fifty pounds be allowed & paid out of ye publick Treasury, to Capt Thomas West Brook, in full of his petition & on Accot of Five Whale Boats & Two Canoes, delivered for the Use of the Province. [*Passed December 28.*

CHAPTER 252.

ORDER ON BRIMFIELD PETITION IN REGARD TO TOWN DIFFICULTIES.

A PETITION of the Inhabitants & proprietors of the Town of Brinfield, Setting forth that they are under Great difficulty with Respect

Legislative Records of the Council, xi.,

464. Mass. Archives, cxiv., 65.

Mass. Archives, cxiv., 64. House Journal, p. 57. *Ante*, p. 85, chap. 11.

to the Settlement of the S^d place, Occasioned partly by the Wrong Management of the Committee in disposing of the Lands and partly by the Claims of the Heirs of the Late Wait Winthrop Esqr Dec^d & praying the Court would take Some, proper Methods to Extricate them out of these difficulties.

In the House of Rep^tives Read &

Ordered that Mr John Chandler Mr Joseph Jennings Mr Henry Dwight be a Committe to enquire into the Reasons of their Greivances at the Charge of the Pet^rs & make Report to this Court in the May Sessions

In Council Read & concur d &

Ordered that such of the former Committe as are now living be directd to attend the Com^tte hereby appointed at Brimfield at such Time[1] as they shall direct

In the House of Rep^tives Read & Concur d. [*Passed December 31.*

CHAPTER 253.

RESOLVE ALLOWING £1. 13. 7 TO DR THOM^S HASTINGS.

Legislative Records of the Council, xi., 464.

House Journal, p. 52.

AN ACCOMPT of Dr Thos Hastings, of Medicines, and attendance, on Several Soldiers in the County of Hampshire, Amo^t to £1. 13. 7.

[Read and]

Resolved That the Sum of one pound Thirteen Shillings & Seven pence be allow'd & paid out of ye publick Treasury to Mr Thomas Hastings in full of the above Accompt. [*Passed December 31.*

CHAPTER 254.

RESOLVE ALLOWING £10. 3. 7 TO SAM^LL JORDAN.

Legislative Records of the Council, xi., 464.

House Journal, p. 53.

AN ACCOMPT presented by Samuel Jordan of Billeting Expresses & other things for the Service amo^t to the Sum of £10. 3. 7.

[Read, accepted, and]

Resolved that the Sum of Ten pounds three Shillings & Seven[2] pence be allowed & paid out of ye publick Treasury to Mr Samuel Jordan, in full of this Accompt. [*Passed December 31.*

CHAPTER 255.

RESOLVE ALLOWING £1. 6 TO SAM^LL PATRIDGE.

Legislative Records of the Council, xi., 464.

House Journal, p. 52.

TWO ACCOMPTS presented by Samuel Patridge Esqr of the Charge for Physicians & Chirurgeons for ye Soldiers, Both Amo^t to £1. 6/.

[Read and]

Resolv'd That the Sum of one pounds[3] Six Shillings be allowed, & paid out of ye publick, Treasury to Samuel Patridge Esqr in full of these two Accompts. [*Passed December 31.*

[1] The House Journal inserts, "and Place."
[2] In the House Journal, *6d.*
[3] *Sic.*

CHAPTER 256.

RESOLVE ALLOWING £30. 3. 6 TO DANIEL GOFFE.

AN ACCOMPT presented by Daniel Goffe of his time & Charges, in a Journey to New York, in ye publick Service, Amo^t to the Sum of £30. 3. 6.

[Read and]

Resolved, That the Sum of Thirty pounds three Shillings & Six pence, be allowed & paid out of ye publick Treasury, to Mr Daniel Goffe in full of Said Accomp^t. [*Passed December 31.*

Legislative Records of the Council, xi., 465.

House Journal, p. 54.

CHAPTER 257.

RESOLVE ALLOWING £16. 10 TO JOHN BLAKE.

A PETITION of John Blake Setting forth, that his Son was wounded in the publick Service & is Since dead, & praying an allowance out of the publick Treasury for the Charges of his Sickness & Funeral According to An Accompt Exhibited

[Read, accepted and]

Resolved That the Sum of Sixteen pounds, & Ten Shillings, be allowed & paid out of ye publick Treasury, to the petitioner John Blake in full discharge of the Said Accompt. [*Passed December 31.*

Legislative Records of the Council, xi., 465.

House Journal, p. 55.

CHAPTER 258.

RESOLVE ON CAP^T EBENEZ^R POMROYS CERTIFICATE OF VOLUNTIERS.

Resolved that the Sum of Forty Shillings, be allowed & paid out of ye publick Treasury to Each of the Six men, Enlisted by Capt Ebenezer, Pomroy, to Serve As Voluntiers in the Western Frontiers. [*Passed * January 1.*

Legislative Records of the Council, xi., 466.

House Journal, p. 53. Province Laws, ii., 225, chap. 1.

CHAPTER 259.

RESOLVE ALLOWING £30 TO DR GEORGE PEMBERTON.

AN ACCOMPT presented by Dr George Pemberton of Medicines Administred & attendance on the Garrison at Castle William, amount^g to the Sum of £31. 17. 6.

[Read, and]

Resolved that the Sum of Thirty pounds be allowed & paid out of the publick Treasury to Dr George Pemberton in full discharge of the above Accompt. [*Passed January 1.*

Legislative Records of the Council, xi., 466.

House Journal, p. 57.

CHAPTER 260.

ORDER ALLOWING £1 EACH TO JOHN YOUNG MOSES HARPER & ROBR^T LITHGO.

Legislative Records of the Council, xi., 466.

Legislative Records of the Council, xi., 277. House Journal, p. 58.

IN THE HOUSE OF REPRESENTATIVES; This House being Informed that John Young, Moses Harper & Robert Lithgo, who were Summoned to give Evidence ags^t Maj^r Moodey, were arrived thô too late for the Hearing.

Ordered, That the Sum of Twenty Shillings be paid to Each of them out of the publick Treasury, and that they be Sent Back again to the Eastern parts.

In Council, Read & Concurred. [*Passed January 1.*

CHAPTER 261.

ORDER ON PETITION OF THE COMMITTEE FOR WORCESTER FOR LAYING A TAX ON UNIMPROVED LANDS.

Legislative Records of the Council, xi., 466.

House Journal, pp. 33, 57. Province Laws, ix., 482, chap. 63; 509, chap. 143.

A PETITION of Thos Palmer & others, a Committee for Worcester praying that the S^d Town may be allowed to lay A Tax upon the Unimproved as well as Improved Lands, Lying within the S^d Town, at the Rate, of Five pence p^r Acre, to finish the Building of their Meeting House, Support their minister & pay their past Arrearages.

Read &

Ordered, That the prayer, of this petition be So far granted, that they be Enabled to lay a Tax of three pence p^r Acre on all the Lands of the Resident & Non Resident Proprietors in the Said Town. [*Passed January 1.*

CHAPTER 262.

ORDER FOR ADJOURNING Y^E COURT IN HAMPSHIRE.

Legislative Records of the Council, xi., 469.

House Journal, p. 61.

WHEREAS the Court of General Sessions of the peace, & Inferiour Court of Common pleas, for the County of Hampshire, appointed, by Law to be held the first Tuesday of Decr last, are adjourned by the Justices of the Said Courts, to the Second Tuesday of this Instant January, & Many of the Justices of the Said Courts being Members of this Court,

Ordered, that, the Said Court of General Sessions of the peace & Inferiour Court of Common pleas be further Adjourned to Tuesday the Twenty Second of January Currant & all persons Concerned are Commanded to take Notice thereof and Conform themselves Accordingly. [*Passed January 2.*

CHAPTER 263.

RESOLVE ALLOWING £2. 10 TO THOS FOSTER.

In the House of Representatives

Resolved That the Sum of Two pounds Ten Shillings be allowed & paid out of ye publick Treasury to Mr Thos Foster for his Expence & Trouble in attending the Order of this House,[1] In Council Read & Concurr'd. [*Passed January 2.*

Legislative Records of the Council, xi., 469.

House Journal, p. 26.

CHAPTER 264.

ORDER ON NATICK PETITION THAT THE TOWN MAY CONVEY LAND TO MR PEABODY.

A PETITION of Thomas Wabaun & others a Committee for the Proprietors of Natick, praying on their Behalf, That they may be Impowered to Give & Confirm To Mr Oliver Peabody, upon his Settling among them in the Work of the Ministry, A Lot or Lots Containing one hundred Acres of Land & meadow, & to make him A Commoner or Proprietor in Such Plantation, they Being Uncapable of Giving any Other Encouragemt

Legislative Records of the Council, xi., 469. Mass. Archives, xiii., 69.

Mass. Archives, xiii., 66, 68. House Journal, p. 59.

Read &

Ordered, That the Prayer of ye Petition be so far granted, as to enable ye Petrs to Convey & Confirm to Mr Oliver Peabody & His Heirs for ever Twenty Acres of Land for a House Lott Which shall be part of ye Sixty Acre Lott formerly intended[2] for John Reesnummin[2] ye Late[2] Preachr at Natick, upon ye Said Mr Oliver Peabodys Settleling in ye Work of ye Gospel Ministry among the Aborigines at Natick, The Remaining Forty Acres of ye Said Sixty Acre Lott, together with forty Acres more of Upland &, Meadow Land to be conveniently laid out & granted to Him & His Heirs for Ever Provided yt ye Sd Mr Peabody continue in ye Work of ye Ministry there during ye Term of His Natl Life, & that the Petrs be also impowred to make Him a Comner or Proprietr of ye Said Plantation of Natick in Right of ye Said Sixty Acre Lott, Provided it exceed not One Fiftieth[3] part of ye Whole Plantation. [*Passed January 2.*

CHAPTER 265.

RESOLVE ALLOWING £3. 14. 6 TO DISCHARGE MESSRS WILLIAMS & DOUGLASS THEIR ACCOMPT.

AN ACCOMPT of Mr Nathll Williams & Mr William Douglass of Medicines & attendance on Hendrick De Witt one of the Delegates, Amot to £3. 14. 6.

Legislative Records of the Council, xi., 470.

[Read and]

Resolved That the Sum of Three pounds Fourteen Shillings & Six pence, be allowed & paid out of the publick Treasury to Mr Nathl Williams & Mr Wm Douglass in full of the within Accompt. [*Passed January 3.*

House Journal, p. 60. *Ante*, p. 225, chap. 189.

[1] A mission, it seems, to the Eastern Indians. — House Journal, p. 26.

[2] MS. obscure; corrected from Legislative Records of the Council, xi., 469. "Reesnummin" is there "Neesnummin."

[3] "One fifteenth" according to the Secretary's copy, Legislative Records of the Council, xi., 469.

CHAPTER 266.

RESOLVE ALLOWING £59. 10 TO DR EDWD ELLIS.

Legislative Records of the Council, xi., 471.

House Journal, p. 60.

AN ACCOMPT presented by Edward Ellis Surgeon, of his Own & his Assistants Service, in the Forces Eastward, under Coll: Walton, from August 28th 1722, to december Following, Amot to ye Sum of Fifty Nine pounds Ten Shillings.

[Read and]

Resolved That the Sum of Fifty Nine[1] pounds Ten Shillings be allowed & paid out of the publick Treasury to Mr Edward Ellis in full of this Accompt. [*Passed January 3.*

CHAPTER 267.

RESOLVE ALLOWING £7. 10 TO COLL: SAMLL PATRIDGE.

Legislative Records of the Council, xi., 471.

House Journal, p. 61.

AN ACCOMPT presented by Coll: Samuel Patridge of Postage, Rum Supplied, the Soldiers & Sundry things Supplied the Delegates, Amot to the Sum of £7. 10. 6.

[Read, accepted, and]

Resolved That the Sum of Seven pounds Ten Shillings[2] be allowed and paid out of the publick Treasury to Samuel Patridge Esqr in full of this Accompt. [*Passed January 3.*

CHAPTER 268.

ORDER ON ISRAEL HAZEN'S PETITION IN REGARD TO HIS WAGES AS A SOLDIER.

Legislative Records of the Council, xi., 471.

Legislative Records of the Council, xi., 277. House Journal, p. 58.

A PETITION of Israel Hazen, Shewing yt he being a Soldier, under the Command of Cpt Johnson Harman was drawn in to put his Name to a Blank paper, which he left in the Hands of ye Sd Harman, Which he has Since made use of to possess himself of ye Whole of his Wages, amot to the Sum of Eleven pounds Twelve Shillings, thô he Never took up more of him, than Three pounds Twelve Shillings,

Praying an Order of this Court to Obtain the Remainder of his Wages, of the Sd Capt Harman.

Read and

Ordered, That the Sum of Eight pounds be Stopped out of Capt Harmans Wages till he Can make it appear to this Court That he has Supplied the Sd Israel Hazen, with as much as his Wages amounts to According to his proposall to Mr Treasurer. [*Passed January 3.*

CHAPTER 269.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF YE GARRISON AT NORTHFIELD.

Legislative Records of the Council, xi.,

A MUSTER ROLL of the Garrison in his Majesties Service, at Northfield under the Commd of Lt Joseph Kellogg Containing an Accompt of

[1] The House Journal reads, £54.
[2] The House Journal reads, £7. 10. 6.

Wages, due to them for their Service from May 31st to July 24th 1722, together with an Account of Billeting for the Same time, Amot to the Sum, of £48. 3. 9.

471. Mass. Archives, xci., 30.

House Journal, p. 61.

read and accepted

Resolved. that thesum of Forty eight pounds thre shillings and nine pence, be allowed and paid out of the Publick Treasury to Samuel Partridge Esqr for him to pay the several sums due to the Officers & souldiers on the above Muster roll. [*Passed January 3.*

CHAPTER 270.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF BROOKFIELD & BRINFIELD SCOUTS.

A Muster Roll of the Scouts posted at Brookfield & Brinfield under the direction of Coll: Samuel Patridge, Containg an Accompt of Wages due to them for their Service, from July 24th to Novr 26th 1722, & an Accompt of Billeting the Said Soldiers, the Said time

Legislative Records of the Council, xi., 472. Mass. Archives, xci., 63.

In the House of Representatives

[Read, accepted and]

Mass. Archives, xci., 62. House Journal, p. 54.

Resolved that the sum of Two hundred Sixty seven pounds, one shilling one penny be allowed and paid out of the Publick Treasury to the Officers and souldiers born on this Roll to whom the same is respectively due. And farther That the sum of Ten pounds seventeen shillings and thre pence being so much supplyed the men, to gether with the sum of one hundred and thirty pounds two shillings and eight pence for subsisting the within named men making the sum of One hundred and forty pounds nineteen shillings and eleven pence be allowed and paid out of the Publick Treasury to Coll: Samuel Partridge in full discharge of subsisting the men (what slops have been supplyed them to be by him paid) to the Person or persons that have subsisted or supplyed any of the men born on the within Muster roll.

In Council,

Read & Concur'd with the Deduction of forty four Shillings & five Pence over cast in the Billeting.

In the House of Representatives

read & Concurred. [*Passed January 3.*

CHAPTER 271.

RESOLVE ALLOWING £21. 1. 3 TO COLL: SAMLL PATRIDGE.

An Accompt of Samuel Patridge Esqr of Scouts Expresses &ca for the publick Service, Amot to the Sum of £21. 1. 3.

Legislative Records of the Council, xi., 472.

[Read and]

Resolved that the Sum of Twenty one pounds one Shilling & three pence[1] be Allowed & paid, out of the publick Treasury to Coll: Samuel Patridge in full discharge of the Said Accompt. [*Passed January 3.*

House Journal, p. 61.

[1] The House Journal reads, £20. 1. 3.

CHAPTER 272.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E SLOOP GEORGE JOHN STRATTON MASTER.

Legislative Records of the Council, xi., 474. Mass. Archives, xci., 29.

A MUSTER ROLL of the Sloop George, John Stratton Master Containing an Acco^t of Wages due, to ye S^d Master & Company for their Service from March 8th to April 8th 1722 & Hire of the Said Sloop amo^t to £31. 13. 2.

Mass. Archives, xci., 28. House Journal, p. 65.

[Read, accepted and]

Resolved that the sum of Thirty one pounds Eight shillings and two pence be allowed and paid out of the Publick Treasury to discharge the Wages & sloop Hire as is on the said roll inserted. [*Passed January 4.*

CHAPTER 273.

RESOLVE ALLOWING PAYMENT OF THE 2^D MUSTER ROLL OF SLOOP GEORGE JOHN STRATTON M^R.

Legislative Records of the Council, xi., 474. Mass. Archives, xci., 86.

A MUSTER ROLL of the Sloop George John Stratton Mr Containing an Acco^t of Wages due, to ye S^d Master & Company for their Service, from July 3^d 1722 to Decr 17th 1722, with ye Hire of ye Sloop Amo^t to £172. 12. 1.

Mass. Archives, xci., 85. House Journal, p. 64.

In the House of Representatives

[Read, accepted and]

Resolved that the sum of One hundred seventy thre pounds seven shillings and one penny be allowed and paid out of the Publick Treasury To discharge the wages and sloop hier according to the within Muster-roll

In Council.

Read & Concur'd with the Deduction of fifteen Shillings for a Weeks Wages for Francis Lowd so much being over cast.

In the House of Representatives

Read and Concurred. [*Passed January 4.*

CHAPTER 274.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP MERRY MEETING THO^S SAUNDERS M^R.

Legislative Records of the Council, xi., 474. Mass. Archives, xci., 84.

A MUSTER ROLL of the Sloop Merry Meeting, Thos Saunders, Master Containing an Acco^t of Wages due to the S^d Master & Comp^a for their Service from August 24th 1722 to Decr 13th 1722 & Hire of the S^d Sloop, Amo^t to £145.

Mass. Archives, xci., 83. House Journal, p. 65.

[Read, accepted and]

Resolved that the sum of One hundred forty five pounds be allowed and paid out of the Publick Treasury to discharge the Wages due to the Master, men & sloop hier as in the above Muster roll. [*Passed January 4.*

CHAPTER 275.

RESOLVE APPOINTING AN ARMOURER AT Y^E CASTLE.

A Memorial of the Honb^le William Dummer Esqr, Setting forth the Necessity of appointing an Armourer at his Majesties Castle William in the Room of Samuel Lamb late Armourer deceased. Legislative Records of the Council, xi., 474.

[Read, accepted and] House Journal, p. 66.

Resolved, that an Armourer be appointed according to the above Report of the Committee. [*Passed January 4.*

CHAPTER 276.

RESOLVE ALLOWING £29. 12. 2 TO EDW^D WINSLOW.

An Accompt presented by Edwd Winslow Esqr of the Repairs of the Province or Gov^rs house, Amo^t to ye Sum of £29. 12. 2. Legislative Records of the Council, xi., 475.

[Read and] House Journal, p. 65.

Resolv^d That the Sum of Twenty Nine pounds Twelve Shillings & Two, pence, be allowed & paid out of ye publick Treasury to Edward Winslow Esqr Sherriff in full discharge of the Said Acco^t. [*Passed January 5.*

CHAPTER 277.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E GARRISON AT CASTLE WILLIAM.

A Muster Roll of the Garrison in his Majesties Service, at Castle William under the Comm^d of the Honb^le William Dummer Esqr Containing an Acco^t of Wages due to them for their Service, from June 1st 1722 to Novr 29th 1722, Amo^t to ye Sum of £351. 17. 4. Legislative Records of the Council, xi., 475. Mass. Archives, xci., 70.

[Read, accepted and] Mass. Archives, xci., 69. House Journal, p. 67.

Resolved that the sum of Thre hundred fifty one pound[1] sevente[en][2] shillings and four pence[3] be allowed and paid out of the Publick Treasury to discharge the wages due to the Officers and souldiers the several & respective sums due to them. [*Passed January 5.*

CHAPTER 278.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAP^T SAM^LL BARNARDS COMPANY.

A Muster, Roll of the Company in his Majesties Service under the Command of Capt Samuel Barnard, Containing an Acco^t of Wages due to them for their Service from July 24th to Novr 20th 1722 & an Acco^t of Legislative Records of the Council, xi., 475. Mass.

[1] *Sic.*
[2] MS. mutilated.
[3] The Executive Records of the Council, vii., 441, reads, £251. 17. 4.

Archives, xci., 50, 51.

Mass. Archives, xci., 48, 49. House Journal, p. 58.

the Subsistence of ye S^d Company. In the House of Representatives,

[Read, accepted and]

Resolved that the sum of Six hundred and thirty pounds fourteen shillings and five pence be allowed and paid out of the Publick Treasury to the Officers and souldiers contained in this Roll and respectively due to them. And further that the sum of Thre hundred pounds two shillings be allowed & paid out of the Publick Treasury to Capt Samuel Barnard for subsisting the Officers and souldiers born on this Roll

In Council, Read & Concurred with the Deduction of Three Pounds eight Shillings from the Drummers Wages whereby they will be reduced to Centinels.

In the House of Representatives

Read and Concurred. [*Passed January* 5.

CHAPTER 279.

RESOLVE ALLOWING £3. 18 TO SAM^LL JORDAN.

Legislative Records of the Council, xi., 476.

Legislative Records of the Council, xi., 425, 429. House Journal, pp. 19, 25, 68.

AN ACCOMPT presented by Samuel Jordan of his Time & Charges in attending the General Court by their Order amo^t to £3. 18/.

[Read, accepted and]

Resolv^d That the Sum of Three pounds Eighteen Shillings[1] be allowed and paid out of the publick Treasury to Mr Samuel Jordan in full of this Accompt. [*Passed January* 7.

CHAPTER 280.

RESOLVE ALLOWING £14. 1. 1 TO COLL: SAM^LL PATRIDGE.

Legislative Records of the Council, xi., 477.

House Journal, p. 68.

AN ACCOMPT presented by Coll: Samuel Patridge of Charges Occasioned in the County of Hampshire, by the apprehending of John Blyn, & Ovid Rush Brook for Counterfeiting Bills of Credit Amo^t to ye Sum of £14. 1. 1.

[Read, accepted and]

Resolved, That the Sum of Fourteen pounds one Shilling & one penny be allowed & paid out of the publick Treasury to Luke Hitchcock Esqr for him to pay & discharge, the Several Sums Mentioned in the Said Accompt, & to be repaid by the Said Rush Brook & Blynn when discharged. [*Passed January* 7.

CHAPTER 281.

RESOLVE ALLOWING PAYMENT OF COLL WHEELWRIGHTS MUSTER ROLL.

Legislative Records of the Council, xi., 479. Mass. Archives, xci., 61.

A MUSTER ROLL of the Company in his Majesties Service under the Command of Coll: John Wheelwright, Containing an Accompt of Wages due to them, for their Service from Augs^t 20th to Novr 27th 1722, Amo^t to the Sum of £740. 6. 7.

[1] The House Journal and Executive Records of the Council, vii., 441, read, £8. 18.

Read and accepted [and]
Resolved That the sum of Seven hundred and Forty pounds six shillings and seven pence be allowed and paid out of ye Publick Treasury to the Officers & souldiers born on the within Roll to whom the Same is respectively due in full discharge of the Wages due herein. [*Passed January 7.*[1]

Mass. Archives, xci., 58-60. House Journal, p. 64.

CHAPTER 282.

RESOLVE ALLOWING £4 TO JOS: BACON.

An Accompt of Joseph Bacon for bringing a Number of Whale Boats from Cape Cod to Boston, Amounting to the Sum of £4 to Ballance.
[Read and]
Resolved that the Sum of Four pounds be allow^d & paid out of the publick Treasury to Mr Joseph Bacon in full discharge of the above Accompt.[2] [*Passed January 8.*

Legislative Records of the Council, xi., 479.

House Journal, p. 70.

CHAPTER 283.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E GARRISON AT S^T GEORGES RIVER.

A Muster Roll of the Garrison in his Majesties Service at St Georges River under the Command of Lieu^t James Armstrong, Containing an Accompt of Wages due to the S^d Company for their Service from July 24th to Decr 18th 1722, Amo^t to the Sum of £292. 6. 2.
[Read, accepted and]
Resolved that the sum of Two hundred Ninty two pounds 6/ 2^d be allowed and paid out of the Publick Treasury to the Officers and Souldiers to whom the same is respectively due, in full discharge of the Wages due on this Muster roll. [*Passed January 8.*

Legislative Records of the Council, xi., 479. Mass. Archives, xci., 88.

Mass. Archives, xci., 87. House Journal, p. 56.

CHAPTER 284.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E SCOUTS IN MIDDLESEX UNDER COLL: CHANDLERS DIRECTION.

A Muster Roll of the Scouts within the County of Middlesex, under the direction of Coll: John Chandler Containing an Accompt of Wages due, to them for their Service, from August 23^d to Novr 30th 1722, Amo^t to, £413 3. 4 and of their Subsistence the Said time, Amo^t to £206. 10.
Read [accepted] &
Resolved that the sum of Four hundred and thirteen pounds thre shillings and four pence be allowed and paid out of the Publick Treasury to the Officers and souldiers to whom the same is respectively due (as ꝑ the Roll) to discharge the same And that the sum of Two hundred Sixty six pounds, ten shillings being the whole amount of subsistance, be allowed and paid out of the Publick Treasury to Coll^r John Chandler to be by him paid to the persons that advanced the subsist-

Legislative Records of the Council, xi., 481. Mass. Archives, xci., 73.

Mass. Archives, xci., 71, 72. House Journal, p. 52.

[1] The date here given is taken from the Mass. Archives. In the Secretary's record the date is January 8.
[2] The House Journal adds, "He having received £8 from Mr. Treasurer."

ance in full discharge of the same (the Treasurer first deducting out of the said sum, what he has supplyed for subsistance to any of the men born on this Roll). [*Passed January 9.*

CHAPTER 285.

RESOLVE ALLOWING PAYMENT OF COLL: WALTONS MUSTER ROLL.

Legislative Records of the Council, xi., 482. Mass. Archives, xci., 44.

A MUSTER ROLL of the Company in his Majesties Service under the Command of Coll: Shadrach Walton Containing an Accompt, of Wages due to them for their Service from July 17th to Novr 14th 1722, Amounting to the Sum of £411. 8. 8.

Mass. Archives, xci., 42, 43. House Journal, p. 71.

[Read, accepted, and]

Resolved that the sum of Four hundred and eleven pounds eight shillings and eight pence be allowed and paid out of the Publick Treasury to the Officers and souldiers born on this roll to whom the same is respectively due (according to the above report) in full discharge of the wages thereof &c. [*Passed January 9.*

CHAPTER 286.

RESOLVE ALLOWING £8 TO JOS: BANE.

Legislative Records of the Council, xi., 482.

AN ACCOMPT presented by Joseph Bane of his time & Charges in Coming to Boston to attend ye Order of the Generall Court amot to the Sum of £11. 16. 1.

Legislative Records of the Council, xi., 424, 429. House Journal, p. 71.

[Read and]

Resolved That the Sum of Eight pounds be allowed & paid out of the publick Treasury to Joseph Bane, in full of his time & Expence in Coming to Boston by Order of this Court. [*Passed January 9.*

CHAPTER 287.

VOTE ON JAS: BRENTNALLS MEMORIAL ALLOWING HIM THE PAY OF A SENTINEL.

Legislative Records of the Council, xi., 482.

A MEMORIAL of James Brentnall, Shewing that he Served as a Clerk in Coll: Waltons Company, and after that as a Second Lieut, for which he is allowed no Wages in the Muster Roll, and praying that the Said Roll may be reconsidered, and that he may be allowed Suitable Wages for his Said Service.

House Journal, p. 71.

Read and the Question was put, Whether James Brentnall be allowed the pay of a Centinell in the Said Roll?.

It pass'd in the affirmative. [*Passed January 9.*

CHAPTER 288.

RESOLVE ALLOWING PAYMENT OF SERGT WILLIAM WHITES MUSTER ROLL.

A Muster Roll of the Scout in his Majesties Service under the Command of Sergt William White, Containing an Accot of Wages due to them for their Service from August 4th to Augst 31st 1722, Amot to the Sum of £25. 3. 4.

read and accepted

Resolved that the sum of Twenty five pounds thre shillings and four pence be allowed and paid out of the Publick Treasury to the Officers and souldiers to whom the same is due in full discharge of the sd Roll. [*Passed January 10.*

Legislative Records of the Council, xi., 483. Mass. Archives, xci., 31.

House Journal, p. 64.

CHAPTER 289.

RESOLVE ALLOWING PAYMENT OF CAPT ROBERT TEMPLES MUSTER ROLL.

A Muster Roll of the Company under the Commd of Capt Robert Temple, Containing an Accot of Wages, due to them for their Service from June 26th to Decr 10th 1722 Amot to the Sum of £551. 5. 1.

In the House of Representatives,

[Read accepted and]

Resolved that the sum of five hundred fifty one pounds five shilling and one penny due on this Roll (exclusive of the use of the Province Armes, and what slops have been delivered the men) be allowed & paid out of the Publick Treasury to the Officers and souldiers mentioned in this Roll to whom the same is respectively due, in full discharge of the same. and that the Treasur[er] make good to the Province the sum of Thirty thre pounds eight shillings and two pence supplyed to the several persons above, which is to be taken out of the sum of One hundred and two pounds five shillings and eight pence conformable to the Resolve of this House.

In Council Read & Concurred. [*Passed January 10.*

Legislative Records of the Council, xi., 483. Mass. Archives, xci., 82.

Mass. Archives, xci., 80, 81. House Journal, p. 54.

CHAPTER 290.

RESOLVE ALLOWING PAYMENT OF CPT JOHN SHIPLEYS MUSTER ROLL.

A Muster Roll of the Company in his Majesties Service under the Command of Capt John Shipley Containing an Accot of Wages, due to them for their Service, from June 26th to Decr 10th 1722, Amot to the Sum of £543. 9. 10.

[Read, accepted and]

Resolved that the sum of Five hundred Forty thre pounds nine shillings and ten pence be allowed and paid out of the Publick Treasury to the Officers and souldiers born on this Roll to whom the same is respectively due in full discharge of the same according to the above[1] Report. [*Passed January 10.*

Legislative Records of the Council, xi., 483. Mass. Archives, xci., 79.

Mass. Archives, xci., 78. House Journal, p. 71.

[1] That is, the committee's.

CHAPTER 291.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF Y^E GARRISON AT WINTER HARBOUR.

Legislative Records of the Council, xi., 484. Mass. Archives, xci., 77.

House Journal, p. 53.

A MUSTER ROLL of the Garrision at his Majesties Fort Mary at Winter Harbour, Containing an Acco^t of Wages due to them for their Service under Capt Samuel Hinks, from March 28th 1722 to Decr 15th 1722, Amo^t to £98. 6. 2.

Read and

Resolved that the sum of Ninty eight pounds Six shillings and two pence be allowed and paid out of the Publick Treasury to the Officers and souldiers to whom it is respectively due as above expressed in full discharge of this Roll. [*Passed January 10.*

CHAPTER 292.

RESOLVE RESPECTING THE PRÆMIUM FOR VOLUNTIERS.

Legislative Records of the Council, xi., 484.

House Journal, p. 74. Province Laws, ii., 225, chap. 1.

In the House of Representatives,

WHEREAS the Law for the More Easy Levying & regulating of Soldiers pass'd at a Session of the General Court, Augs^t 23^d 1721,[1] Gives a Bounty of Forty Shillings to all able Bodied Effective men, that Shall Enter themselves Voluntiers in the Service, which hath proved of no Advantage to the Government.

Resolved, that hence forward, No Such Bounty or Præmium Shall be paid to any Voluntiers, Enlisting on that Paragraph, Any Law Usage or Custom to the Contrary not withstanding. In Council Read & Concurred, &

Ordered That a Bill be brought in Accordingly, In the House of Representatives Read & Concurred. [*Passed January 10.*

CHAPTER 293.

RESOLVE ALLOWING PAYMENT OF CAP^T EDM^D WARDS MUSTER ROLL.

Legislative Records of the Council, xi., 484. Mass. Archives, xci., 76.

Mass. Archives, xci., 74, 75. House Journal, p. 60.

A MUSTER ROLL of the Company in his Majesties Service, under the Comm^d of Cp^t Edm^d Ward Contain^g an acco^t of Wages due to them for their Service from July 16th to Novr ye 30th 1722, Amo^t to £400. 5. 1.

read and accepted

Resolved that the sum of Four hundred pounds five shillings and one penny be allowed and paid out of the Publick Treasury to the Officers and souldiers to whom the same is respectively due in full discharge of this Muster roll according to the above[2] report. [*Passed January 10.*

[1] The Secretary's record reads, "1722," which is wrong.
[2] That is, the committee's.

CHAPTER 294.

RESOLVE ON CAPT. HINKS'S PETITION FOR INCREASE OF WAGES OF THE GARRISON AT FORT MARY, AND FOR AN ALLOWANCE FOR DIGGING A WELL.

A PETITION of Cp^t Samuel Hinks, praying that the Wages of the Garrison at Fort Mary may be rais^d and that he may be allowed for his pains & Expence in Digging a Well, in the Said Fort, which is like to be of Great Service to the S^d Garrison Especially in Case of an Attack. Read & Legislative Records of the Council, xi., 485. House Journal, p. 74.

Resolved,[1] that upon a New Enlistment of Ten able Bodied men[2] their pay be advanced to Thirty Shillings per month to the Men, & proportionably to the Commanding officer, during the present War, and that there be allowed & paid out of the publick Treasury, to Mr Samuel Hinks Six pounds for his Charges, in Digging a Well. [*Passed January 11.*

CHAPTER 295.

RESOLVE ALLOWING PAYMENT OF L^T JEREMIAH MOULTONS MUSTER ROLL.

A MUSTER ROLL of the Scout, in his Majesties Service in the County of York, under the Command of Lieu^t Jeremiah Moulton, Containing an Accompt of Wages due to them for their Service from July 9th to Septr, 25th 1722, Amo^t to the Sum of £113. 10. 9. Read & Legislative Records of the Council, xi., 486.

Resolved, That the Sum of one hundred & Thirteen pounds Ten Shillings & Nine pence be allowed & paid out of the publick Treasury to the officers & Soldiers born on the Within Roll in full discharge of the Wages to whom it is respectively due.[3] [*Passed January 11.*

CHAPTER 296.

RESOLVE ALLOWING £6. 18. 10 TO SAMUELL GOOKIN.

AN ACCOMPT presented by Samuel Gookin Esqr of the Charge Occasioned in the County of Middlesex, by apprehending John Blyn, & Conveying him to Springfield for his Triall, Amo^t to ye Sum of £6. 18. 10. Legislative Records of the Council, xi., 486.

[Read, accepted, and]

Resolved, That the Sum of Six pounds, Eighteen Shillings & ten pence be allowed, & paid out of the publick Treasury to, Sam^ll Gookin Sherriff in full discharge of the within Accompt. [*Passed* January 11.* Mass. Archives, cxxiii., 267. House Journal, p. 65.

[1] In the House Journal, "*Ordered.*"
[2] The House Journal inserts, "at Fort *Mary.*"
[3] Not in the House Journal.

CHAPTER 297.

VOTE FOR CLOATH^G THE INDIAN HOSTAGES.

Legislative Records of the Council, xi., 486.

House Journal, p. 75.

Ordered That the Treasurer be directed to provide Each of the Indian Hostages at the Castle with a Blankett Shirt & pair of Indian Stockings for their Cloathing. [*Passed January 11.*

CHAPTER 298.

VOTE FOR PROVIDG PILOTS &c^A.

Legislative Records of the Council, xi., 486.

House Journal, p. 75.

Ordered That Sufficient Pilots be provided forthwith, for the Land & Sea Service, To be paid after the rate of Four pounds p^r month for their Said Service. [*Passed January 11.*

CHAPTER 299.

VOTE FOR SEND^G FOR COLL: WALTON.

Legislative Records of the Council, xi., 487.

Legislative Records of the Council, xi., 424, 425, 426, 429, 450, 455, 458 *bis*, 459 *bis*, 473, 475, 478, 481, 482. House Journal, pp. 15, 17, 18, 21, 22, 23, 24, 25, 40, 42, 49, 51, 53, 63, 67, 68 *bis*, 70, 71 *bis*, 72, 75. *Ante*, p. 256, chap. 285.

IN THE HOUSE OF REPRESENTATIVES, The House being Informed, that Coll: Shadrach Walton late Commander of the Eastern Forces, did Yesterday presume to dismiss the Soldiers from the Service for Forty Shilings Each & is bound Eastward, Having Given out Such Speeches as (if possible to be accomplished by him) may prove very pernicious to this Government

Resolved That the Sherriff of the County[1] be directed forthwith to follow the S^d Coll: Walton, & order his return to Boston to attend the order of this Court[2] & that the wages due to the S^d Coll: Walton, be Stopped in the Treasury, till he has given Satisfaction to this Court for the abuses lately offered to this Government.

In Council Read & Concurred. [*Passed January 11.*

CHAPTER 300.

RESOLVE ALLOWING PAYMENT OF SERG^T THOMAS BUCKMINISTERS MUSTER ROLL.

Legislative Records of the Council, xi., 487. Mass. Archives, xci., 33.

Mass. Archives, xci., 32. House Journal, p. 73.

A MUSTER ROLL of the Scout in the County of Middlesex under the Command of Serg^t Thomas Buckminister, Containing an Acco^t of Wages due to them for their Service from July 25th to Augs^t 26th 1722, Amo^t to £57. 8. 2.

[Read, accepted and]

Resolved that the sum of Fifty seven pounds eight shillings and two pence be allowed and paid out of the Publick Treasury to the Officers and souldiers born on this Roll to whom the same is respectively due. according to the above[3] Report. [*Passed January 11.*

[1] The House Journal inserts, "of *Suffolk*."
[2] The House Journal omits all that follows.
[3] That is, the committee's.

CHAPTER 301.

RESOLVE ALLOWING PAYMENT OF SERGEANT NAHUM WARD'S MUSTER ROLL.

A MUSTER ROLL of the Scout in the County of Middlesex under the Comm^d of Serg^t Nahum, Ward, Contain^g an Acco^t of Wages due to them for their Service, from Augs^t 13th to Novr 28th 1722, Amo^t to ye Sum of £116. 6. 10.

[Read accepted and]

Resolved that the sum of One hundred and sixteen pounds six shillings and ten pence be allowed and paid out of the Publick Treasury to the Officers and souldiers to whom the same is respectively due on this Roll according to the above[1] Report. [*Passed January 11.*

Legislative Records of the Council, xi., 487. Mass. Archives, xci., 65.

Mass. Archives, xci., 64. House Journal, p. 74.

CHAPTER 302.

RESOLVE ALLOWING £6 TO L^T THO^S GOODWIN.

A PETITION of Timothy Goodwin, Shewing that he Served the last Summer as a Lieu^t under Capt Edm^d Ward, & being Informed that he is Struck out of Capt Wards Roll, & Not allowed any Wages, therefore praying that his Services may be Considered & his pay allowed to him.

[Read and]

Resolved That the Sum of Six pounds, be allowed & paid out of the publick Treasury, to Lieu^t Timo: Goodwin in answer to his petition. [*Passed January 12.*

Legislative Records of the Council, xi., 488.

House Journal, p. 78.

CHAPTER 303.

RESOLVE ALLOWING PAYMENT OF COLL: ELEAZAR TYNGS MUSTER ROLL.

A MUSTER ROLL of the Scouts in his Majesties Service in the County of Middlesex, under the direction of Coll: Eleazar Tyng, Containing an Accompt of Wages due to them for their Service from July 21st to Novr 20th 1722 Amo^t to the Sum of £733. 19. 2.

[Read, accepted and]

Resolved that the sum of seven hundred thirty thre pounds nineteen shillings and two pence[2] be allowed and paid out of the Publick Treasury to the Officers and sould^r born on this roll according to the above[1] report. [*Passed January 12.*

Legislative Records of the Council, xi., 488. Mass. Archives, xci., 68.

Mass. Archives, xci., 66–68. House Journal, p. 77.

CHAPTER 304.

RESOLVE ALLOWING PAYMENT OF CP^T JOHNSON HARMANS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service, under the Command of Capt Johnson Harman, Containing an Accompt of Wages

Legislative Records of the Council, xi.,

[1] That is, the committee's.
[2] In the House Journal, £733. 16. 7.

488. Mass. Archives, xci., 54.

due to them for their Service from Febr^y 28th 1721, to Novr 20th 1722, Amo^t to the Sum of £1,018. 15. 4.

read and accepted

Mass. Archives, xci., 52-54. House Journal, p. 76.

Resolved that the sum of One thousand and eighteen pounds Fifteen shillings and four pence be allowed and paid out of the Publick Treasury to the Officers and souldiers born on s^d Roll according to the above[1] report. [*Passed January 12.*

CHAPTER 305.

RESOLVE ALLOWING PAYMENT OF CAP^T JOHN PENHALLOWS MUSTER ROLL.

Legislative Records of the Council, xi., 489. Mass. Archives, xci., 47.

A MUSTER ROLL of the Company in his Majesties Service under the Command of Cp^t John Penhallow, Containing an Accompt of Wages, due to them for their Service, from Jany 5th 1721 to Novr 14th 1722, Amo^t to, the Sum of £919. 8. 4.

Mass. Archives, xci., 45, 46. House Journal, p. 76.

[Read, accepted and]

Resolved that the sum of Nine hundred & nineteen pounds eight shillings and four pence, be allowed and paid out of the Publick Treasury to the Officers and souldiers born herein to whom the same is respectively due. according to the above[1] Report. [*Passed January 12.*

CHAPTER 306.

RESOLVE ALLOWING PAYMENT OF CAP^T JOS: HEATHS MUSTER ROLL.

Legislative Records of the Council, xi., 489. Mass. Archives, xci., 41.

A MUSTER ROLL of the Company in his Majesties Service, under the Comm^d of Capt Joseph Heath Containing an Accompt of Wages due to them, for their Service from May 2^d to Novr 14th 1722; Amo^t to the Sum of £559.

Mass. Archives, xci., 39, 40. House Journal, pp. 75, 76.

read and accepted

Resolved that the sum of Five hundred Fifty Nine[2] pounds be allowed and paid out of the Publick Treasury to the Officers and souldiers contained in this Roll to whom the same is respectively due in full discharge thereof. according to the above[1] report. [*Passed January 12.*

CHAPTER 307.

RESOLVE ALLOWING £18 TO CP^T THO^S SAUNDERS.

Legislative Records of the Council, xi., 489.

AN ACCOMPT presented By Thos Saunders of Frieght Carried in the Sloop Merry meeting for the Governm^t amo^t to the Sum of £20.

House Journal, p. 77.

[Read and]

Resolved, That the Sum of Eighteen pounds be allowed and paid out of the publick Treasury to Mr Thos Saunders in full of the within Accompt. [*Passed January 12.*

[1] That is, the committee's.
[2] The House Journal reads, £561.

CHAPTER 308.

VOTE ACCEPTING THE COMMITTEES REPORT ABOUT Y^E FIVE NATIONS.

In Obedience to the within Order, The Committee have Considered the affair of the Five Nations, and are of opinion, that three Commissioners be appointed by this Court to treat with those Indians, at Albany the Twentieth day of May Next, That the Sum of Fifteen hundred Pounds Includ^g what is already at Albany, be put into the Hands of Commissioners, in order to Engage those Nations, in a Stricter alliance With this Government, more Especially that they may heartily Join with us in the present War, Wee are Entered into with the Eastern Indians. That the Commissioners distribute among the Five Nations as much of the Said Sum, as according to their best Skill, & prudence they Shall find Necessary to Effect the Ends proposed

Legislative Records of the Council, xi., 489.

Legislative Records of the Council, xi., 478. House Journal, p. 75. *Ante*, p. 204, chap. 127.

But in Case the Commissioners See no likelihood of Bringing them into an offensive War with us against the Eastern Indians, then they are not to present them with more than Five hundred pounds.

That there be Instructions drawn by this Court by which the Commissioners, are to Govern themselves in the Treaty and that a Copy thereof be transmitted as Soon as may be to the Govenour of New York, And to desire his Answer thereupon, That the Following Sums be allowed & paid out of the publick Treasury For the Scalps of the Indian Enemy, Viz^t For Every male of Twelve Years old or Upwards, One hundred pounds, and for the Scalps of all others that Shall be killed in Fight, & the prisoners (to be rendered to the Commanding officer of any Regiment Company Troop or Garrison,) Fifty pounds Each, & the Sole Benefitt of the Prisoners, Being Women or Children, under the Age of Twelve Years & the Plunder. That Each Party of the Five Nations Consisting of Ten, when in Quest of the Enemy Indians, have with them in Company Two English men, at least, & So in proportion for Greater Numbers, as well for their Own Security as that they make a Just Claim, to the payment for what Scalps they may bring in; And that any of the Parties aforesaid, as often as they desire, be Supplied from any of the publick Stores, or Garrisons, in this Province, with what ammunition or provisions they may from time to time Stand in absolute Need of, to be deducted out of what Scalp Money may be due to them; That Any Scalp Money to be received from time to time be Equally divided among the Party to whom it may belong, & the English Men who may be with the S^d party to have Each the Same Share, with any one of the Indians of the Five Nations. [*Passed January 12.*

CHAPTER 309.

RESOLVE FOR EMITT^G £13,000 IN BILLS AND PROVIDING SECURITY.

Resolved, That the Treasurer be & hereby is directed to Issue forth and Emitt the Sum of Thirteen Thousand pounds in Bills of Credit on this Province, being the remaining part of the Twenty Thousand pounds, made by a Resolve of this Court in ye May Sessions, & lodged in the Treasury; to be disposed of for the payment of Such Muster Rolls, as have or may pass this Court, more Especially the Rolls belonging to the Eastern Forces, That ye Said Bills Shall

Legislative Records of the Council, xi., 491.

Province Laws, ii., 279. House Journal, p. 79. *Ante*, p. 192, chap. 88.

pass out of the Treasury at the Value therein Expressed, Equivalent to Money, & Shall be So taken, & accepted in all publick payments, And that the duties of Impost and Excise, with the, Interest of the Loan Moneys, Shall be a fund & Security for the Repaying & drawing in the Said Bills to the Treasury again So far, as that Will reach.

And as a further Fund & Security for the Same, It is further

Resolved, That there be & hereby is Granted to his Most Exellent Majesty, for the Ends & Uses aforesaid and for no other Ends & Uses whatsoever, a Tax of Thirteen Thousand pounds, to be Levied upon Polls & Estates, both Reall & personall within the Province, According to Such Rules and in Such Proportion upon the Several Towns & Districts within the Same As Shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May One Thousand Seven hundred, & Twenty Four and paid into the Treasury at or before the Last day of Decr next after. [*Passed January 14.*

CHAPTER 310.

ORDER APPOINTING A COMMITTEE TO SURVEY THE TRANSPORTS &c^A.

Legislative Records of the Council, xi., 491.

House Journal, p. 78.

In Council

Ordered That Jon^a Dowse Esqr with Such As the Honb^le House of Represen[1] Representatives, Shall appoint, be a Committee to Survey the Several Sloops, Employed as Transports, & report to the Court[2] whether they be fit for Service, in this Winter Season, & What Stores may be further Wanting for them.

In the House of Representatives, Read & Concurred, & that William Clark & Charles Chambers, Esq^rs be added to them. [*Passed January 14.*

CHAPTER 311.

RESOLVE ALLOWING PAYMENT OF MAJ^R SAM^LL MOODEYS MUSTER ROLL.

Legislative Records of the Council, xi., 492. Mass. Archives, xci., 57.

Mass. Archives, xci., 55, 56. House Journal, p. 72.

A MUSTER ROLL of the Company in his Majesties Service, under the Command of Maj^r Samuel Moodey Containing an Accompt of Wages due to them, for their Service from April, 6th to Novr 20th 1722, Amo^t to the Sum of £862. 18. 1.

read and accepted

Resolved that the sum of Eight Hundred Sixty two pounds Eighteen shillings and one penny be allowed and paid out of the Publick Treasury to the Officers and souldiers born on the s^d Roll to whom the same is respectively due in full discharge of their wages as by the above[3] Report. [*Passed January 15.*

CHAPTER 312.

RESOLVE ALLOWING £140 TO THE SECRETARY.

Legislative Records of the Council, xi., 492.

Resolved, That the Sum of one hundred & Forty pounds, be allowed & paid out of the publick Treasury, to Josiah Willard Esqr for his

[1] *Sic.*
[2] The House Journal reads, "Board."
[3] That is, the committee's.

Extrodinary Service, the Year past, & that a Further Sum of Forty pounds be allowed & paid to him out of the publick Treasury, for his Further Trouble in the affairs of the War. [*Passed January 15.*

House Journal, p. 80.

CHAPTER 313.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP ENDEAVOUR JACOB PARKER.

A MUSTER ROLL of the Sloop Endeavour Jacob Parker Master, a Transport, in the publick Service Containing an Accompt of Wages due to the S^d^ Master & Comp^y^ and hire of the Said Sloop from August 28th to Jany 8th 1722 Amo^t^ to the Sum of £141. 12.

Legislative Records of the Council, xi., 494. Mass. Archives, xci., 91.

[Read accepted and]

Resolved that the sum of One hundred forty one pounds twelve shillings be allowed and paid out of the Publick Treasury to Jacob Parker to discharge the several sum̄s as due in the within Roll. [*Passed January 15.*

Mass. Archives, xci., 90. House Journal, p. 80.

CHAPTER 314.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP VIRGIN CALEB PRATT.

A MUSTER ROLL of the Sloop Virgin Caleb Pratt Master, (a Transport in the publick Service) Containing an Acco^t^ of Wages due to the Said Master & Company from the 21st Augs^t^ to the 7th of Jany 1722, & Hire of the Sloop the Said time, Amo^t^ to the Sum of £112. 10/.

Legislative Records of the Council, xi., 494. Mass. Archives, xci., 89.

[Read, accepted and]

Resolved that the sum of One hundred and Twelve pounds ten shillings[1] be allowed and paid out of the Publick Treasury to discharge the wages and sloop hier as[2] above mentioned. [*Passed January 15.*

House Journal, p. 80.

CHAPTER 315.

RESOLVE REMOVING STOPPAGE OF JOSIAH WILLARD'S WAGES.

A PETITION of Josiah Willard a Corporall under Coll: Buckminister, Shewing that he was no way Concerned in Enlisting men for the Service out of the Inhabitants of Groton or Lancaster, for which his Wages are Stopped, & therefore praying that the Stop may be taken off & his Wages allowed him.

Legislative Records of the Council, xi., 495.

House Journal, pp. 73, 80.

Read, And it appearing to the House upon a hearing, that he was no ways accessary to the Enlisting those Six Men, which were more than the allowance to Groton, & Lancaster Scout, therefore.

Resolved; That the EStople be taken off.[3] [*Passed January 16.*

[1] The House Journal reads, £111. 10.
[2] MS. obscure.
[3] The House Journal adds, "his Wages."

CHAPTER 316.

RESOLVE ALLOWING £40 TO JAMES PITSON.

Legislative Records of the Council, xi., 495.

House Journal, p. 80.

AN ACCOMPT presented by James Pitson of Victualls and Drink for the Company belonging to the Ship Flying Horse Peter Papillon Commander, Amo^t^ to the Sum of £47. 10/.

[Read, accepted and]

Resolved That the Sum of Forty Pounds be allowed & paid out of the publick Treasury to the Accomptant James Pitson, in full discharge of the above Accompt. [*Passed January 16.*

CHAPTER 317.

RESOLVE ALLOWING £21 TO EDW^D^ WINSLOW ESQ^R^.

Legislative Records of the Council, xi., 495.

House Journal, p. 65.

AN ACCOMPT Presented by Edward Winslow Esqr Sherriff of the County of Suffolk, of Transmitting Proclamations Laws &c^a^ amo^t^ to the Sum of £42. 19. 10.

[Read, accepted and]

Resolved, That the Sum of Twenty one pounds be allowed & paid out of the Publick Treasury to Edward Winslow Sherriff, in full of this Acco^t^ to Decr 18th 1722. [*Passed January 16.*

CHAPTER 318.

RESOLVE ALLOWING £7. 10 TO DR ELLIS.

Legislative Records of the Council, xi., 495.

House Journal, p. 83.
Infra, chap. 319.

AN ACCOMPT of Edward Ellis for Medicines & attendance on Thos Bowlar a Seaman belonging to ye Ship Flying Horse Amo^t^ to the Sum of £7. 10/.

[Read, accepted and]

Resolved that the Sum of Seven pounds & Ten Shillings be allowed & paid out of the publick Treasury to Edward Ellis in full of the Said Accompt. [*Passed January 16.*

CHAPTER 319.

RESOLVE ALLOWING £3. 12 TO MARY JENKINS.

Legislative Records of the Council, xi., 496.

House Journal, p. 83.
Supra, chap. 318.

AN ACCOMPT of Mary Jenkins for Diet Lodging & Nursing of the Said Thos Bowler Amo^t^ to, the Sum of £3. 12/.

[Read, accepted and]

Resolved That the Sum of Three pounds, & Twelve Shillings be allowed & paid out of the publick Treasury to the Said Mary Jenkins, in full of her Accompt. [*Passed January 16.*

CHAPTER 320.

RESOLVE RAISING THE WAGES OF JOS: BANE.

A Petition of Joseph Bane[1] praying that his Wages, (which are by the Court reduced to Sergeants pay) may be made Equal to Lieu^ts in Consideration of his past Service, & his Readiness at all times to Officiate as An Interpreter & as a Pilot to the Forces.

Legislative Records of the Council, xi., 496. Mass. Archives, lxiii., 307.

The Committee having Considered the within Petition are of opinion that the s^d Joseph Beans Wages be raised & made equal to Lieutenants pay for that when he was engaged in that Service tho there were few or No Marches yet he Attended & was ready to do his duty & is now further to undertake the Work of a Pilot & Interpreter

℘ order Elisha Cooke

Mass. Archives, lxiii., 306. House Journal, pp. 72, 83.

Read [accepted] &

Resolved that the wages due to Lt Joseph Beans be made equal to the pay of Liutenant according to the above report. [*Passed January 16.*

CHAPTER 321.

RESOLVE ALLOWING £72. 15. 1 TO MAJ^R HABIJAH SAVAGE.

An Accompt Presented By Habijah Savage, Esqr for Billeting Soldiers & for his Service, in Mustering & Ordering of the Soldiers,

Legislative Records of the Council, xi., 496.

[Read and]

Resolved, That the Sum of, Seventy Two pounds Fifteen Shillings & one penny be allowed, & paid out of the publick Treasury, to Maj^r Habijah Savage in full discharge of the above Accompt. [*Passed January 16.*

House Journal, p. 83.

CHAPTER 322.

ORDER FOR ADJOURNING Y^E COURTS IN HAMPSHIRE.

Whereas the Court of General Sessions of the Peace, & Inferiour Court of Common pleas, for the County of Hampshire, appointed to be held (by Law) at Northampton on the first Tuesday of December last Stands adjourned to Tuesday the Twenty Second Instant, and Several Members of the Said Courts being likewise Members of this Court.

Legislative Records of the Council, xi., 496.

House Journal, p. 83.

Ordered, That the Said Courts of General Sessions of ye Peace, & Inferiour Court of Common Pleas, for the Said County of Hampshire, be further adjourned to the First Tuesday of February Next, Any Law Usage Or Custom, to ye Contrary Notwithstanding. [*Passed January 16.*

[1] "*Beane,*" in the House Journal.

CHAPTER 323.

RESOLVE ON PETITION OF Y^E GARRISON AT FORT GEORGE IN BRUNSWICK IN REGARD TO WAGES.

Legislative Records of the Council, xi., 497.

House Journal, p. 83.

A PETITION of Isaac Gardner, Lieu^t of Fort George at Brunswick Cp^t John Gyles Commander, Praying in Behalf of the Garrison, there, that their Wages, may be advanced, as the pay of the other Forces, are, Read [accepted] &

Resolved, that the Wages Allowed to the Soldiers at Fort George be at Thirty Shillings per Month, & the officers Wages in Proportion, During this present War. [*Passed January 16.*

CHAPTER 324.

ORDER APPOINTING A COMMITTEE FOR A BILL FOR RAIS^G VOLUNTIERS.

Legislative Records of the Council, xi., 497.

House Journal, pp. 80, 81.

In the House of Representatives,

Ordered That Mr Speaker, Mr Cook, Mr Wainwright, Mr Quincy, & Mr William Clark, with Such as the Honb^le Board Shall Join, be a Committee in the recess of the Court to prepare the Draught of a Bill for the More Easy Raising Soldiers, by Enlisting them as Voluntiers, & to Lay the Same before this Court at their Next Session. In Council Read & Concurred & Coll Tailer, Coll: Fitch & Coll: Quincy are Joined in the affair above. [*Passed January 16.*

CHAPTER 325.

RESOLVE ALLOWING PAYMENT OF SERG^T THO^S BUCKMINSTER'S MUSTER ROLL.

Legislative Records of the Council, xi., 497.

House Journal, p. 73.
Ante, p. 265, chap. 315.

A MUSTER ROLL of the Scouts in his Majesties Service in the County of Middlesex, under the Command of Serg^t Thomas Buckminister, & Sergeant Samuel Willard, Containing an Accompt of Wages due to them for their Service, from August 23^d to Novr 24th 1722, Amo^t to the Sum of £261. 5/.

[Read, accepted and]

Resolved, That ye Sum of Thirty nine pounds Fifteen Shillings & Seven pence be allowed & paid out of the publick Treasury to Cp^t Jonas Prescott, of Groton to be by him paid, to the Groton Scouts, agreeable to the Report. That the Sum of Forty pounds Six Shillings & Eleven pence be allowed & paid out of the publick Treasury to Mr Jabez Fairbanks, of Lancaster to be by him paid to the Lancaster Scouts agreeable to the Said Report,

And, That the Sum of One hundred Eighty one pounds Three Shillings be allowed & paid out of the publick Treasury to the officers & Soldiers born on this Roll, Agreeable to the Report of the Committee. [*Passed January 16.*

CHAPTER 326.

VOTE ACCEPTING THE COMMITTEES REPORT RESPECTING THE COURANT.

The Committee appointed to Consider the paper Called the New England Courant published Monday the 14th Curt are humbly of opinion,

Legislative Records of the Council, xi., 493.

That the Tendency of the Said paper is to Mock Religion, & bring it into Contempt, That the Holy Scriptures are therein prophanely abused, that the Revrd and faithfull Ministers of the Gospell are Injuriously Reflected upon, his Majesties Government affronted, and the peace & Good Order of his Majesties Subjects of this Province disturbed by the Said Courant, and for prevention of the like offence, for the future, The Committee Humbly propose that James Franklyn the Printer & publisher thereof be Strictly forbidden, by this Court to print, or publish the New England Courant, or any Pamphlet or paper of the like Nature, Except it be first Supervised, by the Secretary of this Province, And the Justices of his Majesties Sessions of the peace for the County of Suffolk, at their Next adjournmt be directed to take Sufficient Bond of the Said Franklyn for his Good Behaviour for Twelve Months.

Legislative Records of the Council, xi., 491. House Journal, pp. 79, 82.

Read & Accepted. [*Passed January 16.*

CHAPTER 327.

VOTE OF INSTRUCTIONS TO THE COMMISSIONERS FOR Ye FIVE NATIONS.

A Draught of Instructions from this Court to the Commissioners to be appointed, to treat with the Five Nations of Indians at Albany.

Legislative Records of the Council, xi., 498. Mass. Archives, xxix., 100.

In Council

Gentlemen

Vpon your arrival at Albany you are to wait upon his Excellency Governour Burnet if there and pay the respects of this Governmt to him, and in his absence you are to apply to such as may be appointed to represent him praying their friendship and assistance in Treating with The said Indians of which we think we can't fail upon the assurance Governour Burnet gives us in his Letter of the 14th of December last that his Endeavours shall not be wanting for our Success in this affair he having also for this end had the Opinion of his Council that he might advise the five Nations to send such a number of their fighting Men as can be Spared to our assistance and to make Warr against the Eastern, Indians.

Mass. Archives, xxix., 99. House Journal, p. 85. *Ante*, p. 263, chap. 308. *Post*, p. 275, chap. 338.

You are to acquaint the five nations that as there has always been a Strict friendship Maintained betwixt this Government and them, and the Covenant Chain Brightned From time to time as there was occasion, so are you now come Upon the same design, having from this Government a considerable present to them for that End.

We wou'd have you represent to the five Nations that you hope the delegates have done us the Justice to Inform them of the kind reception and Entertainment they had in this Government and their proceeding in the Eastern parts where they were Eye witnesses of the Desolutions and Outrages committed upon his Majestys Subjects Inhabitants of this Province by the Eastern Indians contrary to their

many Solemn Treaties and Engagements which has obliged this Government to declare Warr against them, all which perfidious Actions of theirs, The said Deligates when here resented even to vomiting as their Expression was.

YOU are to Inform them that in their former Treaties with us they have declared that our Enemies were and Shou'd be theirs and now Providence has furnished them with an Opportunity to give us a proof of their friendship and Sincerity therein we hope they will not fail to jmprove it.

YOU are also further to Inform them that their Delegates when at Boston assured this Government that they would Endeavour to prevail with the five Nations To call off the Merrimack and Scattacook Indians from confederating or Acting with the Eastern Indians against us and You are to know of them whether they have Effected that matter.

YOU are to observe to them also that their Delegates when at Boston gave us goo[d] reason to expect that the five Nations wound Join with us in making Warr against the Eastern Indians and you are now come to finish a Treaty upon that matter and in order to jnduce them to it you are to acquaint them that upon their absolute and Peremptory Promise that they will immediately engage with us in the present Warr against the Eastern Indians You will make another considerable Present to them and also jnform them of the great rewar[d] which this Government have granted for the Scalps of the Eastern Indians which they will be Entituled to According to the Act herewith Delivered you.

YOU are to Inform them that for their better accomodation in any Marches they may make against the Eastern Indians this Government have given direction that in Case they shou'd be in want of Provisions or or[1] ammunition for that Service THEY shall be Supplyed from the English Garrisons and as well for the Prevention of any mischiefs that may happen to them from our Soldiers by mistake as for the avoiding any doubts or disputes that may arise about the Scalps that may be brought in by any of their parties, It is Ordered by the Governm. that there be two English men at least to Join with ten of them that Shall go out in Quest of the Enemey and so in proportion to a greater number which English men are to certifye upon Oath that a Scalp for which a Premium is Demanded is the Scalp of an Enemy Indian with their Age and Sex Slain in Fight and also to receive an Equall Proportion of the Scalp Money with them

THIS BOARD are of Opinion that the Deputys from Boston do first produce to the Persons that are or Shall be appointed to Represent his Excellency at Albany the Propositions which they are to make to the Indians conformable to the methods allways observed on the like occasion and lately practiced by the Governours of Virginia and Pensilvania, and that the said propositions be made publickly in presence of the Persons that are or shall be appointed to Represent his Excellency and that the Interprete[r] of this province be imployed in making the said Propositions to the Indians and receiving their Answer which is likewise according to constant practice.

The Board are further of Opinion THAT upon assurance given by the Government of Boston to the Commissioners of Indian affairs at Albany that the Expences of the message to the Indians and of their Subsistance during the Treaty shall be defrayed by that Government; that the said Commissioners may dispatch a messenger to Summon the Indians to come to Albany on the 20th of may next to Treat with the said Deputys of Boston which is the Sole reason of sending for them

[1] *Sic.*

at present and that the number of the five Nations who shall come do not exceed Seventy Persons reckoning Men Women and Children

In the House of Representatives Read & Concurred. [*Passed January 17.*

CHAPTER 328.

RESOLVE FOR EMITTING THE SUM OF £20,000, IN BILLS OF CREDIT; £5,000 IN 1725; £15,000 IN 1726; ORDER ALLOWING TAXES TO BE PAID IN GOODS &c^A.

Resolved, That the Treasurer be & hereby is directed to Issue forth & Emitt the Sum of Twenty Thousand pounds in Bills of Credit on this Province, to be delivered to him by the Committee appointed to make the Sum of Forty Thousand Pounds by a Resolve of this Court, this present Session, for the Necessary defence & Support of the Gov^mt & the protection & preservation of the Inhabitants thereof, to be Used & disposed of as is hereby directed, in Manner Following, Viz^t.

Legislative Records of the Council, xi., 498.

House Journal, p. 84. Province Laws, ii., 279. *Post*, p. 273, chap. 331.

That the Sum of Twelve Thousand Five hundred pounds, of the aforesaid Twenty Thousand pounds be and hereby is appropriated, to & for the Supplying & Supporting & paying the Charge of Castle William & the other Forts & Garrisons, within this Province As also the Soldiers, with With[1] the officers Wages, arising for their Service (provided the Muster, Rolls, or any Accompts of Charge, & Expence, on the Castle, Forts & Garrison, Shall not be paid, Untill Such Muster Roll & accompt of Charge or Expence, hath been Examined and allowed of by this Court) According to Such Draughts as Shall be from time to time made upon him by Warrant under the Hand of the Govr or Commander in Cheif, with the advice & Consent of the Council, & that the aforesaid sum of Twelve Thousand Five hundred pounds be drawn out of the Treasury, for the Ends & Uses above Appropriated only.

That the Sum of Seven Thousand pounds part of the aforesaid Sum of Twenty Thousand pounds be & hereby is appropriated to & for defreying, the Charges of this Government already arisen & for payment, of all Grants Stipends, Salaries allowances, Bounties & præmiums, made & to be made by this, Court, The Draughts to be made upon the Treasurer for any part of the aforesaid, Seven Thousand pounds to be by Warrant, as above Written, and that the aforesaid Seven Thousand pounds be drawn out of the Treasury for the Ends & uses above Appropriated only.

And That the Sum of Five hundred pounds, being the Residue, & remainder of the Said Sum of Twenty Thousand pounds be & hereby is appropriated for the payment of Expresses dispatch^d for the Service of this Government, together with all other Necessary Unforeseen Charges arising in the Recess of this Court, That demand Prompt payment, Provided always that the Several Draughts, made upon the Treasurer as aforesaid do Express & declare out of which appropriated Sums the Money is to be paid. And the Said Bills Shall pass out of the Treasury, at the Value therein Expressed, Equivalent to Money & Shall be so taken & accepted in all publick payments and that the Duties of Impost & Excise Shall be a fund & Security for the Repayment & Drawing in the Said Bills into the Treasury again, So far as that will reach,

And as a further Funds[1] & Security for the Same, It is, further

[1] *Sic.*

Resolved, That there be & hereby is Granted to his Most Exellent Majesty for the Ends & Uses aforesaid, & no other Ends & uses whatsoever, a Tax of Five Thousand pounds be Levied upon, Polls & Estates, both Reall & personall, within this province according to Such Rules & in Such Proportion upon the Several Towns & Districts, within the Same As Shall, be agreed on & ordered by the Great & General Court or Assembly of this Province, at their Session in May One Thousand Seven hundred & Twenty Five & paid into the Treasury, on or before the last day, of December Next after.

And that the Further Sum of Fifteen Thousand pounds being, the remainder of the Said Sum of Twenty Thousand pounds Be Levied upon Polls & Estates, both reall & personall, within this Province, According to Such Rules & in Such proportion upon the Several Towns, & Districts, within the Same, as Shall be agreed on & ordered, by the Great & General Court or Assembly of this Province at their Session in May One Thousand Seven hundred & Twenty Six, & paid into the Treasury, on or before the last day of December, next after,.

And Whereas through the Scarcity, of Bills of Credit, It may then be difficult, for persons to Convert the produce, of their Lands into Bills & pay their rates, in them, It is further

Ordered, That the Inhabitants of this Province, Shall have Liberty (if they See fit) to pay the Several Sums, That Shall be on them respectively Assesed, in the Several Species hereafter Mentioned at Such Moderate, Rates & Prices, as the Great & Generall Assembly, Shall Set them at; Viz^t in Good Bll: Beef & Pork, Wheat, Barley, Rye, Indian Corn, Oats, Flax Hemp, Bees Wax, Pease, Butter in Firkins, Cheese, Hides tann^d Leather, Dryed Fish, Mackrell in Barrells, Oyl, Whale Bone, Bay-Berry Wax, Tallow, Pitch, Tar & Turpentine; which Species, shall be received by the Treasurer of the Several Constables & Collectors, & by him disposed of to the Best advantage, for the Calling in of the Said Bills into the Treasury again; & if any Loss Shall happen by the Sale of the aforesaid Species, or any other unforeseen Accident, that Shall Arise, That Such deficiency Shall be made Good by a Tax of the Year Next following, So as fully & Effectually to Call in the Whole Sum, of Bills Emitted as aforesaid. [*Passed January 18.*

CHAPTER 329.

RESOLVE ALLOWING PAYMENT OF CP^T BARKERS MUSTER ROLL.

Legislative Records of the Council, xi., 500. Mass. Archives, xci., 38*a*.

A MUSTER ROLL of the Company in his Majesties Service, under the Command of Cp^t Francis Barker, Contain^g an Acco^t of Wages, due to them for their Service, from Febr^y 28th 1721, to Novr 6th 1722, Amo^t to the Sum of £895. 17. 11.

Mass. Archives, xci., 36-38. House Journal, p. 59.

[Read, accepted and]

Resolved that the sum of Eight hundred ninty five pounds seventeen shillings & eleven pence be allowed and paid out of the Publick Treasury to the Officers & souldiers born on the same, being the full amount of the Wages thereof to discharge the same. and further that the Treasurer make good to the Province the sum of five pounds twelve shill[1] and ten pence, so much said to be supplyed John English by the Comisary &c in part returned runn[1] until he or his substitutes can make it appear, that the s^d English actually received s^d sum of the Publick Stores. [*Passed January 18.*

[1] *Sic.*

CHAPTER 330.

RESOLVE FOR PAY^G COLL: BUCKMINSTER SOLDIERS SUBSISTENCE.

Resolved that the sum of Two hundred twenty one pounds Five shillings be allowed and paid out of the Publick Treasury to Coll^o Joseph Buckminster to be by him paid to the several persons, that have advan'd any subsistance to the Officers and souldiers born on ye several Muster-rolls signed by Thomas Buckminster and Samuel Willard serg^ts and Josiah Willard Corporal the treasurer first subducting what subsistance he has already supplyed either of them with. [*Passed January 18.*

Legislative Records of the Council, xi., 501. Mass. Archives, xci., 32*a*.

House Journal, p. 73. *Ante*, p. 268, chap. 325.

CHAPTER 331.

RESOLVE FOR MAKING £40,000 IN BILLS OF CREDIT: W^M PAYNE ESQ^R APPOINTED A SIGNER OF BILLS OF CREDIT.

Resolved That the Committee who made the last Bills of Credit on this Province, be desired & directed to print off, & Finish as Soon as may be the Sum of Forty Thousand pounds, Thirty Five Thousand pounds, thereof from the plate of the Highest Denomination, Four Thousand pounds thereof From the Plate of the Middle Denomination, & One Thousand pounds thereof from the plate of the Lowest Denomination; & Deliver them when Finished to the Treasurer of this Province, Tak^g his Receipt for them, the Said Committee to be paid, for their Service as for the Bills Last made, That Twenty Thousand pounds thereof be Issued, out by the Treasurer, for the Service of this Province, according to the Resolve of this Court, at their present Session, The Remaining Twenty Thousand pounds to be kept in his hands till further Order and that William Payne, Esqr be added to the Committee, for Signing Bills Instead, of John White Esqr Dec^d. [*Passed January 18.*

Legislative Records of the Council, xi., 501.

Legislative Records of the Council, x., 321. House Journal, p. 82. Province Laws, ix., 70, chap. 44; 325, chap. 130; 327, chap. 133. *Ante*, p. 271, chap. 328.

CHAPTER 332.

RESOLVE ALLOWING £250 TO Y^E L^T GOV^R.

Resolved That the Sum, of Two hundred, & Fifty pounds be allow^d And paid out of the publick Treasury to his Honour William Dummer Esqr Lt Govr & Commd^r in Cheif, of this his Majesties Province for his Support in Managing ye affairs of the Govern^t. [*Passed January 18.*

Legislative Records of the Council, xi., 501.

House Journal, p. 86.

CHAPTER 333.

RESOLVE ALLOWING £30 TO Y^E CLERK OF Y^E HOUSE.

Resolved That the Sum of Thirty pounds be allowed & paid out of the publick Treasury, to William Payne Esqr Clerk of the House for his Service the Year Currant. [*Passed January 18.*

Legislative Records of the Council, xi., 502.

House Journal, p. 86.

CHAPTER 334.

RESOLVE ALLOWING £15 TO Y^E CLERK OF Y^E HOUSE.

Legislative Records of the Council, xi., 502.

House Journal, p. 86.

In the House of Representatives,

Resolved, That the Sum of Fifteen Pounds, be allowed & paid out of the publick Treasury, to William Payne Esqr Clerk of this House for his Extrodinary Service, in preparing Votes for the Press.

In Council, Read & Concurred. [*Passed January 18.*

CHAPTER 335.

RESOLVE ALLOWING £25 TO JOHN FLAGG DOOR KEEPER.

Legislative Records of the Council, xi., 502.

House Journal, p. 86.

Resolved, That the Sum of Twenty Five pounds be allowed & paid out of the publick Treasury to Mr John Flagg Doorkeeper to his Exellency the Govr & this Court, for his Service half a Year Ending the Twenty Sixth of Decr last. [*Passed January 18.*

CHAPTER 336.

RESOLVE ALLOWING £1. 13 TO BENJ^A BAGNALL.

Legislative Records of the Council, xi., 502.

House Journal, p. 87.

AN ACCOMPT presented By Benj^a Bagnall, for Cleaning & mending the Clocks in the Court House, Amo^t to £1. 13/.

[Read and]

Resolved that, ye Sum of one pound & Thirteen, Shillings be allowed & paid out of ye publick Treasury to Benj^a Bagnall in full of the Said Acco^t. [*Passed January 18.*

CHAPTER 337.

RESOLVE ALLOWING £17. 1. 3 TO JN^O CHANDLER ESQ^R &c^A.

Legislative Records of the Council, xi., 502.

House Journal, p. 29 (June); p. 66.

AN ACCOMPT, Signed John Chandler, Edward White & Willm Ward, of the Charge of Surveying, a Tract of Land, belonging to the Province, Adjoining to Sherburne New Grant, Amo^t to ye Sum of £17. 1. 3.

[Read and]

Resolved[1] That, the Sum of, Seventeen pounds one Shilling & three pence, be allowed and paid out of the Publick Treasury to John Chandler Esqr Edward White, & Wm Ward, in full of the within Accompt. [*Passed January 18.*

[1] "*Ordered*," in the House Journal.

CHAPTER 338.

ORDER APPOINTING COMMISSIONERS TO TREAT WITH Y^E FIVE NATIONS.

In the House of Representatives,

Ordered, That Elisha Cook & John Stoddard Esq^rs, with Such as the Honb^le Board Shall Appoint, be Commissioners of this Government, to treat with ye Five Nations at Albany.

In Council, Read & Concurred, & the Honb^le William Tailer Esqr & Spencer Phips Esqr are Joined in the affair, (They or any three of them to, Act) The Resolve of this Court, for three Commissioners only, Notwithstanding.

In the House of Representatives, Read & Concurred. [*Passed January 18.*

Legislative Records of the Council, xi., 502.

House Journal, p. 87. *Ante*, p. 269, chap. 327.

CHAPTER 339.

ORDER FOR SELLING PROVINCE LANDS NEAR SHERBURNE & THE PROVINCE LINE.

In Council

Ordered, That a Tract of Province Lands adjoining to Sherburne Lands, & the Province Line [1] lately Survey^d by John Chandler Esqr Mr Edwd White & Mr Wm Ward, and a Platt thereof by them returned into this Court, be Sold to the Highest Bidders after publick Notice has been Given Some Convenient time before the Sale, The Money to be received for the Said Land to be paid in to the publick Treasury, & that Paul Dudley Esqr with Such As the Honb^le House of Representatives, Shall appoint, be a Committee to Sell the Said Lands Accordingly & be Impowered to Give Good & Sufficient Deeds in the Law for the Same. In the House of Representatives Read, & Concurred, & John Quincy Esqr & Benj^a Whittamore, are added to them, the day of Sale to be on the First Wednesday, in April Next at the Green Dragon, in Boston, Agreed in Council. [*Passed January 18.*

Legislative Records of the Council, xi., 503.

House Journal, p. 87. *Ante*, p. 274, chap. 337.

CHAPTER 340.

RESOLVE ALLOWING £18. 2. 3 TO RICHARD HALL.

An Accompt Presented By Richard Hall of the Entertainment of Several Committees of the Representatives, Amo^t to, the Sum of £18. 2. 3.

[Read and]

Resolved, That the Sum of Eighteen pounds Two Shillings & three pence, be allowed & paid out of the publick Treasury to Mr Richd Hall, in full of this Accompt.[2] [*Passed January 18.*

Legislative Records of the Council, xi., 504.

[1] Instead of the words "adjoining to Sherburne Lands, and the Province Line," the House Journal reads, "Petitioned for by *Sherborn* and *Framingham*."

[2] Not in the House Journal.

CHAPTER 341.

ORDER FOR AN ASSISTANT TO Y^E TREASURER TO DELIVER STORES FOR Y^E EASTERN FORCES.

Legislative Records of the Council, xi., 504.

House Journal, p. 86.

Ordered, That the Treasurer, be directed to send A Suitable person to the Eastern parts to be an Assistant, to him in taking Care of the Provisions & stores that are Sent down for the Supply of the Forces, & to deliver them to the Several Captains. [*Passed January 18.*

CHAPTER 342.

RESOLVE ALLOWING £8. 0. 6 TO JOS: MARION.

Legislative Records of the Council, xi., 504.

House Journal, p. 86.

AN ACCOMPT presented by Jos: Marion, of Writing by him done for the General Assembly, Amo^t to the Sum of £8. 0. 6.

[Read and]

Resolved, that, the Sum of Eight pounds & Six pence be allowed & paid out of the publick Treasury to Mr Jos: Marion, in full discharge of the Said Accop^t. [*Passed January 18.*

CHAPTER 343.

VOTE ALLOWING CAP^T SAM^LL HINKS PROPOSAL IN REGARD TO REPAIRS AT FORT MARY.

Legislative Records of the Council, xi., 505.

A PROPOSALL of Capt Samuel Hinks, That he may have a New Carriage, for one of the Great Guns at Fort Mary, and y^t the Rest of the Carriages may be repaired, That he may Rebuild a Small Chimney, that is now Unfitt for Service, and that the Gundaloe may be repaired & made fit for Service

Read & allowed.[1] [*Passed January 18.*

CHAPTER 344.

RESOLVE ALLOWING £3 TO JAMES BRENTNALL.

Legislative Records of the Council, xi., 505.

House Journal, p. 82.

AN ACCOMPT presented by James Brentnall of the Charges of his going Express to take up Deserters, amo^t to the Sum of £3. 13. 9.

[Read and]

Resolved, that the Sum of Three pounds be allowed, & paid out of the publick Treasury to James Brentnall the Accomptant in full discharge, of the above Accompt. [*Passed January 18.*

[1] Not in the House Journal. An earlier petition of a similar nature had been dismissed August 16, 1722.—House Journal, p. 12.

CHAPTER 345.

ORDER ON JOHN JOHNSONS PETITION FOR LAYING OUT OF LAND.

A PETITION of John Johnson of Woodstock Praying that a Grant of Two hundred[1] Acres of Land made to the Petitioners Father, in the Year 1659, may be laid out & Confirmed to his Heirs, Read &

Ordered, That the prayer of the petition be Granted, provided it be not already taken up, & Entrench not upon any former Grant, to be laid out by a Surveyour & Chain Men under Oath & a Return thereof to be made to this Court, in a Twelve Month's time. [*Passed January 18.*

Legislative Records of the Council, xi., 505.

House Journal, p. 25.

CHAPTER 346.

ORDER FOR JOINING JOHN CHIPMAN ESQR ON YE AFFAIR OF YE CHEBAQUEDOCK INDIANS.

Ordered, That John Chipman Esqr be Joined, with Meletiah Bourne Esqr & Simeon Butler in Calling the Executors, of Benja Haws Esqr late of Marthas Vineyard Decd to Accompt respecting the Claims, made upon the Estate of the Sachem of Chebaquedock, And that they or any two of them make their Report to this Court, at their Session in May next. [*Passed January 19.*

Legislative Records of the Council, xi., 506.

House Journal, p. 88.

Ante, p. 229, chap. 201.

CHAPTER 347.

RESOLVE ALLOWING £2. 12 TO JOS: HILLER.

AN ACCOMPT presented by Joseph Hiller, of writing by him done for the Service of the General Assembly, Amot to the Sum of £2. 12/.

[Read and]

Resolved That the Sum of Two pounds & Twelve Shillings be allowed and paid out of the publick Treasury to Mr Joseph Hiller, in full of the within Accompt. [*Passed January 19.*

Legislative Records of the Council, xi., 505.

House Journal, p. 88.

CHAPTER 348.

ORDER ANNEXING LANDS ADJACENT TO DORCHESTER TO THE COUNTY OF SUFFOLK.

Ordered; that the Tract of Land, to the West ward of the Heap of Stones, & Stake in the path, Leading from Bantry to Bridgewater and adjacent to the Township of Dorchester, be & hereby is annexed unto, & do henceforth Lye within the Jurisdiction of the County of Suffolk, provided it be not understood in any wise to affect the property, of Land, And that the Committee, appointed at this present Session, to run the lines between the Said Lands & the Town of Dorchester,

Legislative Records of the Council, xi., 506.

Ante, p. 226, chap. 195.

[1] In the House Journal, "250."

If they find any persons have Got into possession of the premises do forthwith direct the Attorney Generall, to bring a Writt of Trespass & Ejectment against all Such, And that they make Report, of their proceedings, to this Court as Soon as may be.[1] [*Passed January 19.*

CHAPTER 349.

RESOLVE ALLOWING £5 TO MR JOS: SEWALL.

Legislative Records of the Council, xi., 506.

House Journal, p. 87.

Resolved, That the Sum of Five pounds be allowed & paid out of the publick Treasury, to the Revrd Mr Joseph Sewall, for his Good Service in praying with the House. [*Passed January 19.*

CHAPTER 350.

RESOLVE ALLOWING £14. 16. 4 TO JOHN GOOCH.

Legislative Records of the Council, xi., 509.

House Journal, p. 88.

AN ACCOMPT presented, by John Gouge, of Disbursments on the Commissioners, & for Transporting Stores, Amot to the Sum of £14. 16. 4.

[Read and]

Resolved That the Sum of Fourteen pounds Sixteen Shillings & Four pence, be allowed & paid out of the publick Treasury to Mr John Gooch, in full of the within Accompt. [*Passed January 19.*

CHAPTER 351.

RESOLVE ALLOWING £3 TO JOHN CLARK ESQR SPEAKER.

Legislative Records of the Council, xi., 509.

House Journal, p. 87.

In the House of Representatives,

Resolved That the Sum of Three pounds, be allowed & paid out of the publick Treasury to John Clark Esqr Speaker to ye House, of Representatives, being for So much he advanced, by Order of this House for the publick Service, In Council Read & Concurred. [*Passed January 19.*

CHAPTER 352.

RESOLVE ALLOWING £9. 19. 7 TO WM PATTIN.

Legislative Records of the Council, xi., 509.

House Journal, p. 37.

AN ACCOMPT presented by William Pattin, of Expences of Committees, of ye Representatives at his house Amot to the Sum of, £9. 19. 7.

[Read and]

Resolved that the Sum of Nine pounds Nineteen Shillings, & Seven pence[2] be allowed & paid out of the publick Treasury, to Mr Wm Pattin, to discharge his Accompt. [*Passed January 19.*

[1] Not in the House Journal.
[2] The House Journal reads, £19. 14. 6.

CHAPTER 353.

RESOLVE ALLOWING £15 TO JOSHUA PARKER.

Legislative Records of the Council, xi., 509.

Resolved, that ye Sum of Fifteen pounds be allowed & paid out of ye publick Treasury to Joshua Parker, to discharge his Acc^t Exhibited this session for the publick Service;[1] by Order of the House. [*Passed January 19.*

Legislative Records of the Council, xi., 505. House Journal, p. 88.

CHAPTER 354.

ORDER ON PETITION OF DIVERS INHABITANTS OF Y^E EAST END OF TAUNTON NORTH PURCHASE.

Legislative Records of the Council, xi., 509.

Legislative Records of the Council, x., 238. House Journal, p. 87. Province Laws, ix., 558. chap. 100.

A Petition of Divers Inhabitants of the East End of Taunton North purchase, praying to be Set off a Seperate Township or precinct by a Line reported by John Feild, Ephr^m Howard & John White, in the Year 1718, & pursuant to the Order of the General Court, that they Should be Sett off, when they are Capable of Setling & Maintaining a Minister, as they Apprehend they now are, & that they may have half the Land of ye north purchase; In the House of Representatives Read &

Ordered, That the divisional Line, between the East End of Taunton, North purchase, & the other part of Norton, be according to, the Report of Messrs John Field, Ephraim Howard and John White, a Committee appointed by this Court, on ye 12th of Novr 1717, to run the Same, In Council, Read & Concurred & that the East End of Taunton north purchase, be Constituted a Seperate & distinct precinct, according to the S^d Line,

In the House of Representatives, Read & Concurr'd. [*Passed January 19.*

[1] "An Accompt presented by Joshua Parker, of the Charge of ye Hearing of the Complaints, ags^t Coll: Buckminister, Amo^t to the Sum of £17. 10/." — Legislative Records of the Council, xi., 505.

RESOLVES, ORDERS, VOTES, ETC.

Passed 1723–24.

LEGISLATIVE LIST[1]

FOR

1723–24.

THE HONORABLE WILLIAM DUMMER, ESQ., LIEUT. GOVERNOR,

CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, ESQ.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of the Massachusets Bay;

WILLIAM TAILER
SAMUEL SEWALL
PENN TOWNSEND
JOHN APPLETON
SAMUEL PATRIDGE
EDWARD BROMFIELD
NATHANIEL NORDEN
BENJAMIN LYNDE
ADDINGTON DAVENPORT
} ESQRS.

THOMAS HUTCHINSON
SAMUEL BROWN
THOMAS FITCH
EDMUND QUINCY
ADAM WINTHROP
JONATHAN DOWSE
PAUL DUDLEY
SAMUEL THAXTER
JOHN TURNER
} ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plimouth;

ISAAC WINSLOW, JOHN CUSHING & JOHN OTIS, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Mayne;

JOHN WHEELWRIGHT, JOSEPH HAMMOND & CHARLES FROST, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

SPENCER PHIPS, ESQ.

[1] See Legislative Records of the Council, xi., 513–516.

For the Province, at large: —

NATHANIEL PAYNE & JONATHAN BELCHER, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 29, 1723 to April 23, 1724.

MR. JOHN CLARK, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . John Clark, Esq.,
Elisha Cooke, Esq.,
Mr. Isaiah Tay,
Mr. Ezekiel Lewis.
Roxbury, . . Col. William Dudley.
Dorchester, . . Col. Robert Spurr.
Brantrey, . . Major John Quincy.
Weymouth, . . Joseph White, Esq.
Hingham, . . Mr. Thomas Loring.
Dedham, . . Mr. Thomas Fuller.
Medfeild, . . Mr. Henry Adams.
Mendon, . . . Mr Daniel Taft.
Wrentham, . . Mr. Edward Gay.
Brooklyn, . . Mr. Edward White.
Needham, . . Mr. Thomas Kingsberry.
Milton, . . . Capt. Ephraim Tucker.

COUNTY OF ESSEX.

Salem, . . . Capt. Peter Osgood,
Capt. Daniel Epes.
Ipswich, . . . John Wainwright, Esq.,
Mr. Thomas Choat.
Newbury, . . Capt. Henry Rolfe,
Mr. Joseph Gerrish.
Lynn, . . . Mr. Richard Johnson.
Mblehead, . . James Cawley, Esq.
Haverill, . . Mr. John Saunders.
Rowley, . . . Capt. Samuel Pickard.
Salisbury, . . Mr. Isaac Morrell.
Andover, . . Mr. James Fry.
Boxford, . . . Mr. Joseph Hale.
Bradford, . . Mr. Thomas Carleton.
Beverly, . . . Mr. John Thorn Dyke.
Wenham, . . Mr. William Fairfeild.
Glocester, . . Mr. James Sayward.
Topsfeild, . . Mr. Timothy Perkins.
Amesbury, . . Mr. Thomas Hoite.

COUNTY OF MIDDLESEX.

Cambridge, . . Jonathan Remington, Esq.
Charlestown, . Charles Chambers, Esq.,
Henry Phillips, Esq.
Watertown, . . Jonas Bond, Esq.
Concord, . . . Mr. Benjamin Whittemore.

COUNTY OF MIDDLESEX — *Concluded.*

Newtown, . . Mr. Ebenezer Stone.
Sudbury, . . Hopestill Brown, Esq.
Marlborô, . . Mr. Caleb Rice.
Sherburn, . . Mr. Samuel Bullard.
Medford, . . Mr. Samuel Brooks.
Lancaster, . . Mr. Jabez Fairbanks.
Grotton, . . . Mr. Benjamin Prescott.
Framingham, . Col. Joseph Buckminster.
Chelmsford, . Mr. Stephen Peirce.
Billerica, . . Mr. George Brown.
Woburn, . . . Mr. Daniel Peirce.
Reading, . . William Bryant, Esq.
Malden, . . . Mr. Samuel Bucknam.
Lexington, . . Capt. Joseph Estabrook.
Stow, ... Mr. Nathaniel Hapgood.
Leicester, . . John Menzies, Esq.

COUNTY OF HAMPSHIRE.

Springfield, . John Pyncheon, Esq.
Northampton, . John Stoddard, Esq.
Hadley, . . . Mr. Luke Smith.
Westfeild, . . Mr. Daniel Bagg.
Hatfeild, . . Mr. Thomas Hastings.
Suffeild, . . . Mr. John Austin.
Brookfield, . . Mr. Joseph Jennings.

COUNTY OF PLIMOUTH.

Plimouth, . . Josiah Cotton, Esq.
Seituate, . . . Mr. James Cushing.
Marshfeild, . . Isaac Little, Esq.
Duxbury, . . Mr. Thomas Fish.
Bridgewater, . Mr. Ephraim Howard.
Middleborô, . . Mr. Edward Thomas.
Rochester, . . Mr. Joseph Benson.
Plimpton, . . Mr. Elkanah Cushman.
Pembrook, . . Joshua Cushing, Esq.

COUNTY OF BARNSTABLE.

Barnstable, . . Shubael Gorham, Esq.
Sandwich, . . Col. Melatiah Bourn.
Eastham, . . Mr. Samuel Knowles.
Harwich, . . Mr. Thomas Clark.
Yarmouth, . . Capt. Ebenezer Haws.

County of Bristoll.

Bristoll, . . . Capt. William Throop.
Taunton, . . Mr. Robert Crossman.
Swanzey, . . Mr. Hugh Cole.
Rehoboth, . . Mr. Jerathaniel Peck.
Little Compton, Mr. Joseph Southworth.
Dighton, . . . Mr. Edward Shove.
Tiverton, . . Mr. Thomas Manchester.
Attleborô, . . Mr. John Foster.
Norton, . . . Mr. John Hedges.
Dartmouth, . . Mr. William White.
Freetown, . . Mr. John Read.

Dukes County.

Edgar Town, . Mr. John Norton.

County of York.

York, ... Capt. Peter Newell.
Kittery, . . . Mr. Richard Gowell, Junior.
Berwick, . . Capt. Elisha Plaistead.
Wells, . . . Joseph Hill, Esq.
Arundell, . . Mr. Alenson Brown.

Nantuckett.

Sherburn, . . George Bunker.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE TWENTY-NINTH DAY OF MAY, A.D., 1723.

CHAPTER 1.

ORDER TO Y^E COMMISSIONERS AT ALBANY IN RESPECT TO Y^E EASTERN INDIANS.

WHEREAS The Honb^le William Tailer Esqr & the other Commissioners, now at Albany have by their Letter to his Honour, the Lieu^t Govr of ye 22^d of may past, hinted as if there was a prospect, of ye Eastern Indians Submission to Such Terms, as the Maquas Shall Enjoin them relating to a peace with this Governm^t And in As much As the Instructions Given those Gentlem^n by this Government will not allow them to Entertain, Such Motions, However,

Ordered, that a Post be Immediately dispatched to the Commissioners at Albany, directing them that if any over tures of Peace Should be offered & press'd by the Maquas, that they Judge adviseable for the Governm^t to Come into, that then they dispatch the Conditions Immediately to the Generall Court, Now Sitting, & use all proper means to keep the Five Nations, till the Answer of this Court Shall reach them. [*Passed June 1.*

Legislative Records of the Council, xi., 520.

Legislative Records of the Council, xi., 518. House Journal, pp. 7, 8. *Ante*, p. 275, chap. 338.

CHAPTER 2.

ORDER ON PETITION OF Y^E EAST PRECINCT OF TAUNTON N^O PURCHASE CONFIRMING THE VOTES.

A PETITION of the Inhabitants of the East part of Taunton North purchase, Setting forth that the Inhabitants met together on the 28th of March last & pass'd Severall Votes, Relating to the affairs of their precinct & for the Encouragement of a Minister, to Settle among them; Which Votes were pass'd in an Amicable Manner & with Good agreement among themselves, but the Said Meeting, not being Legally Warned they Doubt that Some difficulties may hereafter arise, about the Matters then Voted and therefore praying that the S^d Votes (annexed to the petition) may be Confirmed by this Court,

Read &

Ordered, That the prayer of the petition be Granted, & that the Votes pass'd at a Meeting of the Inhabitants of the East precinct of the North purchase on ye 28th day of March 1723 (which Votes are hereunto Annexed [1]) be allowed Ratified & Confirmed to all Intents & purposes, whatsoever, Any Law Usage or Custom to the Contrary notwithstanding. [*Passed June 5.*

Legislative Records of the Council, xi., 522.

House Journal, p. 10. *Ante*, p. 279, chap. 354.

[1] The entry of the votes has disappeared from the records.

CHAPTER 3.

ORDER FOR A NEW PRECINCT IN Y^E S^D PART OF WEYMOUTH.

Legislative Records of the Council, xi., 523.

House Journal, p. 10. *Ante*, p. 220, chap. 175.

Ordered that the South part of the Town of Weymouth, as the Same has been Sett off & bounded by a Committee of this Court, in a Report of the 20th of Novr last, (Except as is therein Excepted) be and hereby is Erected & made into a Precinct, and that the Inhabitants thereof, Use Exercise & Enjoy all Such powers & privileges as other precincts Use Exercise & Enjoy, So that they procure & Settle a Learned Orthodox Minister, amongst them, & make Suitable provision for an Honourable Support, & Maintenance for him and that they be therefore Exempted from any Charge for the Future Maintenance of the Ministry, in the other or Northward part of Weymouth, and that Messr^s John Vincent, & Sam^ll White, (Two of the principall Inhabitants of Said Precinct) are hereby directed, & Impowered to Notify & Summon the Inhabitants, Duely Qualified, for Voters to Assemble, & meet together, for the Chusing all Precinct officers & determining the Way & Method of Future Meetings of s^d Precinct. [*Passed June 5.*

CHAPTER 4.

VOTE DEFERRING THE HEARING ON NEWTON AFFAIR.

Legislative Records of the Council, xi., 523.

House Journal, p. 12. *Ante*, p. 240, chap. 235.

Voted that the Hearing on Newton petition be deferr'd to To Morrow, at three a Clock in the afternoon, and that in the Meantime the petitioners refund to the adverse party the Money Destrained from them for the Maintenance of the Ministry at Newton, Contrary to the Orders of this Court. [*Passed June 5.*

CHAPTER 5.

VOTE ON THE COMMITTEES REPORT REFERRING TO BILLINGSGATE.

Legislative Records of the Council, xi., 521, 524.

Legislative Records of the Council, xi., 520. House Journal, p. 7. *Ante*, p. 226, chap. 194. *Infra*, chap. 6.

In the House of Representatives,

Ordered, That the Line & Bounds, between Billingsgate, & the Southerly part of the Town of Eastham, As described in the Report, be the Settled Bounds of the S^d precinct and that the Four Families, who have not petitioned to be Sett off to the Parish of Billingsgate, Shall remain with their Families & Estates & belong to the Old Parish of Eastham So long as the S^d Families Shall desire it,

In Council, Read & Concurr'd with the Amendment, Viz^t Instead of (Four Families &c^a) (Four persons, Viz^t James Brown Joshua Brown, John Walker and Samuel Harding) & Instead of (So long &c^a) (untill this Court Shall Order otherwise).

Agreed to by the Representatives. [*Passed June 5.*

CHAPTER 6.

ORDER FOR MAKING BILLINGSGATE A PRECINCT.

Ordered, That the North part of the Town of Eastham (as the Same has been Sett off by an Order of this Court pass'd at their present Session (Except as is therein Excepted)[1] be and hereby is Erected & made into a Precinct, and that the Inhabitants thereof, Use Exercise & Enjoy all Such powers & priviledges, as other precincts, Use Exercise & Enjoy, So that they procure & Settle a Learned orthodox Minister amongst them, & make Suitable provision for an Honourable Support, & Maintenance for him, And that they be therefore Exempted from any future Charge for the Maintenance, of the Ministry in the other & Southward part of Eastham, and That John Doan Esqr (one of his Majesties Justices of the peace for the County of Barnstable and belonging to the S^d precinct) is hereby directed, & Impowered, to Notify & Summon the Inhabitants duly Qualified for Voters to Assemble & meet together for Chusing all precinct officers, & determining the Way & method of Future proceedings of the Said Precinct. [*Passed June 5.*

Legislative Records of the Council, xi., 524.

House Journal, p. 11. *Supra*, chap. 5.

CHAPTER 7.

ORDER FOR A HEARING ON PETITION AND COMPLAINT OF NANTUCKET INDIANS.

A Petition of the Indians of Nantucket, Complaining of many Injuries, & abuses practised, on them by the English Inhabitants of that Island, by Impounding and taking away their Horses, & Cattle, Hindering them from the Use of their own Land, & making them pay rent for that which they plant on &c^a & praying Redress from this Court, & that they may have a hearing of those matters, That So they may prove the truth of the things they alledge.

Read &

Ordered, that the Inhabitants of the Town of Sherburne on Nantuckett[2] be Served with A Copy of this petition, & that a hearing be had thereon before this Court, on ye Second Wednesday of the Fall Session. [*Passed June 6.*

Legislative Records of the Council, xi., 525.

Legislative Records of the Council, ix., 231; x., 143 *bis*, 315 *bis*. House Journal, p. 12. Province Laws, ix., 494, chaps. 102, 103; 541, chap. 57; 560, chap. 106.

CHAPTER 8.

ORDER FOR ADJOURNING THE COURTS IN MIDDLESEX.

Whereas the Court of Generall Sessions of the peace & Inferiour Court of Common pleas for the County of Middlesex are appointed by Law, to be held at Cambridge in the Said County on the Second Tuesday of June Curr^t & Several of the Justices of the S^d Court, & others Concerned are members of this Court,

Resolved, that In Consideration of the present Sitting of the Generall Court, the S^d Court of Generall Sessions of the peace & Inferiour Court of Common pleas be & hereby are adjourned to the Second Tuesday of July Next, Any Law Usage or Custom to the Contrary notwithstanding. [*Passed June 6.*

Legislative Records of the Council, xi., 525.

House Journal, p. 13. Province Laws, ii., 519, chap. 19.

[1] Marks of parentheses *sic*.
[2] The House Journal reads, "in *Nantucket* County."

CHAPTER 9.

ORDER ALLOWING THE CO: TREASURER OF PLIMOUTH HIS ACC^T.

Legislative Records of the Council, xi., 525.

House Journal, p. 13.

AN ACCOMPT of John Dyer Treasurer of the County of Plimouth, Beginning March 9th 1721, & Ending March 7th 1722

Having been Examined by the Generall Sessions of the peace for the Said County & by them pass'd & allowed

Read &

Ordered That This Accompt be allowed. [*Passed June 6.*

CHAPTER 10.

ORDER FOR LAYING OUT 300 ACRES OF LAND ORIGINALLY GRANTED TO W^M HABBERFIELD.

Legislative Records of the Council, xi., 526.

House Journal, p. 14. Province Laws, ix., 528, chap. 14.

A PETITION of Thos Amsden & Jeremiah Barstow, for themselves & other the Children & Heirs of Joseph How, late of Marlborô Dec^d, Shewing that the General Court did in the Year 1698, grant unto Wm Habberfield, a Tract of three hundred Acres of Land, which the S^d Habberfield Sold unto Thos How, & he to Joseph How, above mentioned, That the Widow of the S^d Joseph How Employed a Surveyour, to Survey & take a Platt thereof, in Order to have the Same Confirmed by this Court, which platt was approved & Accepted, with this Proviso, Viz^t That It Entrench not, on any former Grant, but the Said Tract of Land being partly Included in the Grant of the Townships of Sutton made Some time before, the Court were pleased to disallow of the Said Return, & therefore praying that, they may have Liberty to lay out the S^d Three Hundred Acres, In some other Free & Ungranted Land of this Province, & the platt thereof to be returned, to this Court for Confirmation.

Read &

Resolv^d That the Three Hundred Acres of Land Granted to William Habberfield as Set forth in the petition, be laid out in Some Unappropriated Lands of this Province, by a Survey^r & Chain men, under Oath, & a platt thereof returned to this Court within Twelve months for Confirmation. [*Passed June 7.*

CHAPTER 11.

VOTE FOR A GUARD VESSELL FOR Y^E FISHERY.

Legislative Records of the Council, xi., 527.

House Journal, p. 11.

A PETITION of a Considerable Number of persons, belonging to Salem, Marblehead & other Towns in the County of Essex, who are Concerned in The Fishery, Shewing that many of their Vessells were the Last Year taken by the Indians on the Coast of Nova Scotia, & Several of their men Murdered in A Barbarous Manner, by which means a great part of the Fishing Season was lost, and that the like Inconveniencies may probably happen to them this Summer unless prevented by the Care of the Government, & therefore praying that Some Suitable, Vessell, well Mann'd may be fitted out, & Employed, to Guard the Fishery this Summer from the Insults of the Indians, Read [accepted] &

Voted, that a Suitable Sloop or Some other Vessell be forthwith taken up, & Well Equipped & Mann'd with Thirty Five Good Effective men, Including officers, and that She have a Whale Boat to attend her, The S^d^ Vessell & Whale Boat to be Constantly Ranging the Sea Coasts, upon the Fishing Ground, between the Isles of Shoals & Cape Samborô, to the End of September, or middle of October next, as the Season may require, in defence of the Fishery & Securing, and protecting them from the Insults of the Indian Enemy; who are likewise to go into & Search among the ports & Harbours Eastward to prevent all trade with the Indian Enemy, and upon discovering any Such Illegall trade to Seize & Secure the Goods & Merchandize, & Vessells, Importing the Same, & prosecute the Matter be fore Some, of his Majesties Courts of Record in this Province, That the Master or Commander Carry one or more of the Acts made to prevent all trade or Commerce with, the Eastern Indians, And that the pay of the Sea men Shall be Forty Shillings p^r^ month & the officers in proportion. [*Passed June 8.*

CHAPTER 12.

ORDER ON MR THOMAS CRAIGHEADS PETITION IN REGARD TO HIS DUES AS MINISTER OF FREETOWN.

A petition of Thos Craighead late Minister of Freetown Setting forth that he has been put to Great difficulties for his Support in the S^d^ place, that the General Sessions of the peace for the County of Bristoll, pass'd an Order for Stating a Salary to be paid to him by the Inhabitants of the S^d^ place, which has not been punctually paid accord^g^ to the Order of the Said Court, But the people are now in Arrears to him Near three hundred pounds, and therefore praying Relief from this Court, and that he may be Enabled to recover his Dues, Read &

Legislative Records of the Council, xi., 528.

House Journal, p. 15. Province Laws, ix., 695, chap. 110. *Ante*, p. 70, chap. 156.

Ordered, That the Revr^d^ Mr Thos Craighead Serve the Town of Freetown, with a Copy of this petition, that they Shew forth their, Reasons (if any they have) before this Court on Wednesday the Nineteenth day of this Instant June, Why the prayer of the petition Should not be Granted, And That George Winslow late Constable of s^d^ Freetown, Anno 1718, and Thos Durfey Constable as aforesaid, Anno 1719, & Mr John Barney Deputy Sherriff of the County of Bristoll, (to whom was Committed a Rate of £32. 10/. for the Use & Support of Mr Craighead, being a List of a Tax of what was to be Collected by Jno Hathway, Junr Late Constable of S^d^ Town Anno 1717, who Died, before Collecting the Said Rate) be & hereby are directed and ordered, to attend at the Hearing aforesaid, to Shew Cause why they & Each of them have not duely Collected the Sums Committed to them Respectively to Collect, & paid the Same to Mr Craighead, as directed by their Warrants. [*Passed June 8.*

CHAPTER 13.

ORDER ON RICHARD HENCHMANS PETITION FOR LICENSE AS INNHOLDER.

A Petition of Richard Henchman, Shewing that for many Years he has taught School in the Town of Boston, but by reason of his Lameness, & advanced age, has been lately rendrer'd Uncapable of that

Legislative Records of the Council, xi., 530.

House Journal, p. 19. Province Laws, ii., 203, chap. 1.

Work, & thereupon has Obtained a Licence for Retailing of Strong Drink, & having laid out what he has had for a Stock of Liquors, to Carry on that Buisiness, he has by the difficulty of the times, been kept out of the money due to him in that trade, which has made him Uncapable of Satisfying the Commissioners of Excise, for what is due to them by Law, So y^t he is rendered Uncapable of having his Licence renewed, during the Continuance of the Excise Act, Unless by the Particular Favour & Indulgence, of this Court, & therefore praying that this Court, would, Grant him a Licence, to retail Strong Drink That So he may be Enabled to Support his Family.

Read &

Ordered, That the Select Men of ye Town of Boston & the Justices of the peace for the County of Suffolk (at their Next General Sessions) be & hereby are Authorized and Impowered, to Grant unto the petitioner a Licence to Retail Strong Drink, If they See Convenient, Provided he first Satisfy the Commissr^s of Excise for the duty of Excise remain^g Unpaid; Any Law, Usage or Custom to the Contrary not withStanding. [*Passed June 11.*

CHAPTER 14.

RESOLVE ALLOWING £40 TO ELIZABETH STRATTON.

Legislative Records of the Council, xi., 530.

House Journal, p. 18. *Ante*, p. 252, chap. 273.

A PETITION of Elizabeth Stratton, Shewing that her Husband John Stratton Dec^d was Master of the Sloop George a Transport in the Service of this Province, & that in passing Kennebeck River, in the Said Sloop he was Dangerously, Wounded, by the Indians, of which wounds after many months Languishment, he died, Having Contracted a Considerable debt to his Surgeon, and that the petitioner is now left in very poor Circumstances, & without any means for the Support of Her Family, and therefore praying that the Doctors Accots: may be paid by the publick, & that She may have Such other relief as this Court Shall think Meet,.

Read &

Resolved that the Sum of Forty pounds be allowed & paid out of ye publick Treasury to Elizabeth Stratton the petitioner for the reasons Sett forth in her Petition. [*Passed June 11.*

CHAPTER 15.

ORDER ON COMMITTEES REPORT FOR STATING Y^E MEETING HOUSE IN Y^E NEW PRECINCT IN MIDDLEBORÔ AND TAUNTON.

Legislative Records of the Council, xi., 531.

House Journal, p. 20. *Ante*, p. 232, chap. 210. *Infra*, chap. 16.

PURSUANT to An Order of the General Court of this Province, at their Session in Novr last, relating to their appointing a place, for the Setting a Meeting House in the Precinct made part out of the Town of Middleborô & part out of the Town of Taunton, Wee the Subscribers having repaired to Said Precinct, Viewed the Severall parts thereof & heard the pleas and allegations of the Inhabitants relating to that affair Do: agree & detirmine, that the place for the Standing of the Said Meeting House Shall be within the Town of Middleborô on the Southerly, Side of the High Way, Leading from Said Middleborô, to Freetown, about Six Rods from the Said Way and against the Westerly part of the pond, that is on the Northerly side of

the High Way about Fifty or Sixty Rods Westerly of Thos Jocelyns Dwelling House.

Read &

Ordered, That this Report be accepted, and that the Meeting house for the New Precinct in Middleborô & Taunton be placed accordingly. [*Passed June 11.*

CHAPTER 16.

ORDER ON ACCOMPT OF CHARGS IN STATING THE PLACE FOR MIDDLEBORÔ MEETING HOUSE.

An Accompt of the time & Expences of John Cushing & Samuel Thaxter Esqrs (a Committee of this Court) in the affair of Stating the place for the Meeting house in the New Precinct in Middleborô & Taunton, Amot to the Sum of £4. 10/.

Legislative Records of the Council, xi., 533.

House Journal, p. 21. *Supra*, chap. 15.

Read &

Ordered, That this Accompt be allowed, & that the Inhabitants of the New Precinct in Middleborô & Taunton take Care to See the Same forthwith paid to ye Accomptants. [*Passed June 12.*

CHAPTER 17.

VOTE FOR A NEW COMMITTEE FOR BRINFIELD.

The Committee appointed by the Great & General Court of the Province of the Massachusets Bay, begun & held at Boston, Novr 15th 1722, Having Repaired to Brinfeild, and being Attended there by the former Committee, Vizt Capt Thos Colton Mr Stebbins, Mr Glover & Mr Morgan, & having Enquired into the, Reasons of the Greivances of the petitioners (the Inhabitants of Brinfeild) & Examined the Several Articles of the Sd petition, & the Replies of the Sd Committee, are of opinion. That the Said Committee have not Duely pursued the Powers & Directions of the Hond Court in Granting Lots, & Settling Sd Plantation, and that there were Just Grounds of Complaint, as Set forth in Sd Petition; Particularly the Committee are of opinion, that a Greater Number of Grants have been made out than the Generall Court Intended, The Former Committee Acknowledge Eighty or upwards, But the petitioners Instanced in above an hundred, But the Committee Excuse themselves, by Saying they Shall Declare many Lots forfeited, Which they have not Yet Done, because the time Limited to fullfill the Conditions is not Yet Expired, Also the Committee Find Near Twenty Grants, made out to Non Residents, Besides one to Each of the Committee, where in the Grantees are not obliged to Bring forward a Settlement, but Some of Sd Grants are by the peoples Consent

Legislative Records of the Council, xi., 533.

Maps and Plans, v., 39. Legislative Records of the Council, vii., 209, 228. House Journal, pp. 11, 20. History of Brimfield, 1701–1876, p. 7. *Ante*, p. 245, chap. 252.

Yet the Quantity of Acres agreed on are Greatly Enlarged by that Committee, to the prejudice of the Planters,

It also appears, there have been Divers Measures of Land Employed there and that a Due Regard has not been had that Justice might be done, in the Surveys there made, The Records are As Imperfect, as Sett forth in the petition and Many Grants, (if not the Most of them) are only in Loose papers as Mr Glover the Clerk informed this Committee, (For they Saw not the papers, althô they desired Mr Glover to Bring them with him) and many of the Grants &ca are Signed only

in his Name as Clerk or Register of the Committee who notwithstanding is under no Oath for any Such Service, A Fine Frame of a Meeting House, raised in the Summer past, has Received Great damage, by being uncovered, & it So Continues to this day, Which the Planters attribute to the Committees Neglecting to raise money by a Tax to defrey the Charge thereof, which Tax they promised to make in May last, but it is not Yet Done, Thô. Mr Glover the Register Says, It wanted but an Hours Work, to finish it Ever Since September last; But Mr Stebbins Says they were Loth to rate Some persons, Vizt Such as would be likely to forfeit, Lest they Should make an advantage of it & thereby hold their Lots, Althô the Conditions in other Respects were not fullfilled, In which they had Dr Shermans Opinion)[1] as also that the Planters were not agreed Among themselves, how Great a Sum Should be raised, And that for those Reasons, it is not finished, As to Mr Winthrops Survey, The former Committees Express them Selves to be wholly of opinion with the Petitioners, & ye other Planters, That if the sd Survey Should be Confirmd It would tend very much to the Discouragement of the people and Compell Severall of them to remove from their Settlements & Labour, & So far Weaken the Hands of them that Yet Might be Induced to Stay, that they will Not be able in a Long time to Carry an[2] End the Religious Settlement of the place accordg to what the Honoured Court, & what the people Seem Sincerely to desire, & they are in Good hopes Mr Winthrop may be Well Suited with another Survey, without prejudice to the plantation, & more agreeable to the Grant of the Court & have taken pains with Mr Winthrop about it, though without Success, Finally the Committee are Humbly of opinion that if the difficulties, the Plantation now Labours under, with Respect to the above named particulars, were removed, It would be a very fine & Flourishing Plantation All, which is most Humbly Submitted, by

JOHN CHANDLER
HEN: DWIGHT } Committee
JOS: JENNINGS

P: S, Some of the Committee Express'd themselves desirous to be discharged being grown into years & uncapable to manage the affairs of the plantation

In the House of Representatives, Upon Reading the, within Report, & the Petition of William Hammilton, and others Inhabitants of Brinfeild

Voted, That the whole power, Trust & authority reposed by this Court in Cpt Thomas Colton, Mr Stebbins Mr Glover, & Mr Morgan as a Committee of the Town of Brinfeild, be and hereby is declared Null & Void,

And That John Chandler & Henry Dwight, Esqrs & Mr Joseph Jennings be a Committee and hereby are Constituted & appointed Trustees in the Room & Stead of Cpt Colton, & others the former Committee to Carry on & perfect the Settlement of Said Town in all Respects according to the True Intent & meaning of the Generall Court in Making Brinfeild a Township Anno 1702[3] Having Special Regard to the Originall Proprietors; & that the Committee Report to this Court the Number of Grants & the Names of the Grantees, that Exceed the Limitation made by the Generall Court, and That Mr Pelatiah Glover of Springfield, the present Clerk of the Sd Town who has the Book & all papers of Grants &ca of Sd Town be & hereby is directed, & Ordered to Deliver the Said Book and papers to the abovesd Committee, That So a fair

[1] All marks of parentheses *sic*.
[2] *Sic*, for, it seems, "Carry on and." See the vote following.
[3] *Quære*, 1701? See Legislative Records of the Council, vii., 209, 228.

Record may be made of all proceedings, made by & in Behalf of Said Town The Charge of the Committee, to be born by the Inhabitants of Brinfeild, In Council Read & Concurr'd and the S^d^ Committee are Impowered & directed, to Appoint a Clerk of the Said Town, who Shall be under Oath.,

In the House of Representatives, Read & Concurr'd. [*Passed June 12.*

CHAPTER 18.

RESOLVE ALLOWING £21. 9 TO DR JOHN PERKINS.

A Petition of Dr John Perkins, Shewing that one William Woodward, a Soldier under the Comm^d^ of Lieu^t^ Pool being upon his duty, discharged his Musquet which Splitt & very much broke & Shattered his hand, Whereupon he Applied himself to the petitioner for relief, who Under took the Cure of his Wound, & By the Blessing of God, effected the Same, and therefore praying that the Acco^t^ of the Charge of the S^d^ Cure Amo^t^ to the Sum of £21. 9 may be paid to him, out of the publick Treasury.

Legislative Records of the Council, xi., 536.

House Journal, p. 18.

[Read, Accepted And]

Resolved that the Sum of Twenty one pounds Nine Shillings be allowed and Paid out of the publick Treasury, to Dr John Perkins the Petitioner in full discharge of the Cure Mentioned in the petition. [*Passed June 12.*

CHAPTER 19.

ORDER FOR A COMMITTEE ON PETITION OF Y^E^ EAST PRECINCT IN BRIDGEWATER.

The Petition of ye Inhabitants of the East End of the North Precinct In Bridgewater with the answers of the other part of the North Precinct & of the South Precinct were Read & fully Considered, & the following Vote pass'd thereon Viz^t^; In Council;

Legislative Records of the Council, xi., 537.

House Journal, p. 24. *Ante*, p. 243, chap. 244.

Ordered, that Isaac Winslow & Samuel Thaxter Esq^rs^, with Such as the Honb^le^ House of Representatives, Shall Appoint, be a Committee to repair to Bridgewater, in the recess of the Court & hear the pleas & Allegations of all Parties, & View the Town & Consider the Scituation & Circumstances of the Several parts thereof, & make report whether they Judge it Reasonable, that the East End of the North Precinct be Sett off as a Seperate Precinct; And if So whether any or all of the Thirteen, or Fourteen Families prayed for from the South Precinct, ought to be added to them, & by what Lines the Said East part Should be Sett off, The Charge to be paid by the Inhabitants of the East End of the North Precinct, who are the petitioners; In the House of Representatives; Read & Concurr'd &

Ordered That Josiah Cotton Isaac Little & John Quincy Esq^rs^ be added to the Committee for the Ends & purposes aboves^d^. [*Passed June 13.*

CHAPTER 20.

RESOLVE ALLOWING £10 TO HUGH PIKE.

Legislative Records of the Council, xi., 539.

House Journal, p. 25.

A PETITION of Hugh Pike, Shewing that Being Ensign of a Company in the Expedition to Port, Royall, under Coll: March he Rec^d Several Dangerous Wounds, for which he has not been able to get any Cure, but they Still Continue upon him, So as to disable him from doing anything for the Support of himself & Family & therefore praying the Compassionate Consideration of this Court, & that he may be allowed Some thing out, of the publick Treasury for his Support.

Read & in Answer to this petition

Resolved, that, the Sum of Ten pounds be allowed and paid out of the publick Treasury to Hugh Pike in Consideration of the Wound, Rec^d as abovesaid. [*Passed June 14.*

CHAPTER 21.

RESOLVE ALLOWING £3 TO RICH^D BOURNE.

Legislative Records of the Council, xi., 539.

House Journal, p. 25.

A PETITION of Richard Bourn, Shewing that in the Year 1721, there was a report, that a Pirate Ship was upon the Coast Near Tarpaulin Cove, When Coll: Wm Bassett & (the petitioners Father) Lieu^t Coll: Meletiah Bourne Sent him to Express the News to the Govr & Council at Boston, for which Service & Expence & attendance one day on the Govr & Council at Boston he has yet had no allowance, and therefore praying, That the Sum of Three pounds, may be allowed, & paid out of the publick Treasury to him for his Said Service, &c^a Read & in Answer to this petition,

Resolved that the Sum of Three pounds be allowed & paid out of the publick Treasury to the within Named Richard Bourn the petitioner, in full discharge of his going Express as Set forth in his petition. [*Passed June 14.*

CHAPTER 22.

ORDER ON MR PEABODYS PETITION, IN REGARD TO THE LOCATION OF HIS HOUSE.

Legislative Records of the Council, xi., 541.

House Journal, p. 27.
Ante, p. 249, chap. 264.

A PETITION of Oliver Peabody of Natick Clerk, Shewing that whereas the Generall Court, at their last session, were pleased in Answer to the petition of the Indian Proprietors of Natick to grant them power to give & Confirm to the petitioner one hundred Acres of Land & Meadow, within Said plantation, Viz^t "Twenty Acres for an house Lott, which Shall be part of the Sixty Acre Lot, which was formerly Intended for Mr John Neesnummins, a late preacher at Natick, upon the petitioners Settling in the Work of the Ministry, among the Aborigines, & the remaining Forty Acres of the S^d Sixty acre Lot, together with Forty Acres more to be Conveniently laid out," and whereas the Said Proprietors have Since, Pursuant to the Said Grant, Given & Confirmed, the premises to the petitioner, and there is no Part of the S^d Sixty Acre Lot, which was designed for the S^d Neesnummins, that is Convenient for an house Lot, It being at Considerable Distance from the Meeting House, & Mills and ye Land So Wett, & Stony that it will be hardly

possible to dig a Cellar there, It will be much more Convenient, that the petitioners House Should be built on the other part of the Land And therefore praying Leave & power, to take up the S^d Twenty Acres for an house Lot, upon the Thirty Acre Lot, laid out to John Thomas, & now Given to the petitioner, where it Shall be found most Convenient, & accomadable for the End proposed.

Read &

Ordered, That the prayer of this petition be Granted. [*Passed June 14.*

CHAPTER 23.

RESOLVE ALLOWING £39. 8. 7 TO M^R DAN^LL POWNING.

An Accompt presented by Daniel Powning of the Charge of the Powder house in Boston June 1st 1723, Amo^t to £100. 18. 6 and the Ballance due to the Accomptant, being £39. 18. 7.

Legislative Records of the Council, xi., 542.

[Read And]

House Journal, p. 23.

Resolved, That the Sum of Thirty Nine pounds Eight Shillings & Seven pence[1] be allowed & paid out of the publick Treasury to Daniel Powning the Accomptant, in full discharge of his Acc^t to the First of this Instant June. [*Passed June 14.*

CHAPTER 24.

RESOLVE ALLOWING £2. 10. 2 TO RICH^D DOLE J^R.

A Petition of Richard Dole J^r of Newbury Praying that his Accompt of Ferrying Soldiers Expresses &c^a for Several Years pass'd (herewith Exhibited,) may be allowed & paid out of the publick Treasury,

Legislative Records of the Council, xi., 543.

[Read, Accepted And]

House Journal, pp. 18, 19.

Resolved that the, Sum of Two pounds Ten Shillings & Two pence be allowed & paid out of the publick Treasury to the Accomptant Richard Dole Junr to discharge his Acc^t, The Treasurer having Certified, that nothing has been paid on the Accompt. [*Passed June 15.*

CHAPTER 25.

ORDER GRANTING THE PETITION OF Y^E INHABITANTS OF NORTHFEILD TO BECOME A TOWN.

A Petition of the Proprietors, & Inhabitants of Northfeild, Shewing that they have been under the Management of a Committee (appointed by the General Court) for Several Years, that many of the S^d Committee Live at thirty Miles Distance from the S^d Town, which brings a Great Difficulty And Inconvenience upon the affairs of the S^d Town, & that the Number of the Inhabitants is now So far Encreased, that they Judge themselves Capable of Managing the Prudential affairs of the Said place, & therefore praying that they may Enjoy all the Priviledges & Immunities of a Town as others do.

Legislative Records of the Council, xi., 543.

House Journal, p. 27.

Province Laws, ix., 397, chap. 31.

Read &

The House Journal reads, £39. 18. 6.

Ordered, That ye Town of Northfeild be & hereby is authorized & Impowered to have use Exercise & Enjoy, all Such Powers, Priviledges, & Immunities, which other Towns have, use, Exercise & Enjoy; and that Capt Benj^a Wright, & Lieu^t Eleazar Wright, (Two of the principall Inhabitants of the S^d Town,) are hereby directed, & Impowered to Notify & Summon, the Inhabitants duely Qualified for Voters to Assemble, & Meet together for the Chusing of Town officers, to Stand untill ye Next Annuall Election, According to Law. [*Passed June 15.*

CHAPTER 26.

RESOLVE FOR CONFIRMING THE CHOICE OF JOS: SWIFT CONSTABLE OF SANDWICH.

Legislative Records of the Council, xi., 546.

House Journal, p. 28.

A PETITION of Meletiah Bourn, Esqr Representative of the Town of Sandwich in Behalf of the Said Town, Shewing that at their Annuall Town meeting in March last, the S^d Town made Choice of Joseph Swift, for their Constable, for the Year Ensuing, Whose Answer to the former Constable (Sent to Notify him of the Choice) was So uncertain that the Inhabitants thought proper to proceed to a New Choice, & accordingly at Another Meeting, Chose another person, who declared his refusall in the S^d Meeting, & then they Chose a third person, who not being present and Living at a Great Distance from the place of Meeting, they had not an opportunity to have his Answer in Season, But he refusing the Person first Elected declared he would Serve If the Town would accept of him, which they accordingly did, ; But for as much, as there are Many Quakers in the Said Town who (it is thought) will take advantage of any Errour in the proceedings of the S^d Town, which will occasion Great difficulty & Confusion, Especially in Collecting the Ministers Rate, and, therefore praying that this Court would by their order, Confirm the Choice of the S^d Joseph Swift to be Constable of the S^d Town, of Sandwich, for this present Year Any Slip or Mistake in their proceedings in appointing the S^d Swift to that office Notwithstanding.

Read &

Resolved that the Choice first made by the Town of Sandwich of Joseph Swift for a Constable of Sandwich, for this Year is good & Valid, & that the S^d Joseph Swift is hereby declared Constable of ye Town of Sandwich, for the Year one Thousand Seven hundred & Twenty three, & untill another be Chosen in his Stead, any Law Usage or Custom to the Contrary notwithstanding. [*Passed June 17.*

CHAPTER 27.

ORDER ON PATIENCE COPPS PETITION IN BEHALF OF CHARLES & NATH^LL SHORT FOR SALE OF THEIR INTEREST AS MINORS IN CERTAIN PROPERTY.

Legislative Records of the Council, xi., 546.

House Journal, p. 18.

A PETITION of Patience Copp of Boston, Shewing, that Thomas Munt of Boston Died Seazed of a Small peice of Land & Flatts Scituate at the South End of Boston, Adjoining to the Land of Mr Henry Hill, Which Land Descends to Rachell Cossee of Marblehead Widow, Joseph Marshall Cordwainer, Bartholemew Green j^r Bozzun Allen Currier & Mary his Wife, John & Elisa: Kneeland, Deborah Green in Right of

her mother Mary Green, Dec^d & Charles Short, & Katherine Short Minors (to whom the petitioner is Guardian) and for as much as the petitioner, is fully authorized & Impowered, by the other persons Interested, to make Sale of their right in the S^d Land and the Same being absolutely unprofitable to the owners, as it now Lyes, Therefore praying that She may be authorized, & Impowered to make Sale of the Right & Interest of the S^d Minors, Charles & Katherine Short, which is one fifth part & to Execute a Lawfull Deed, for the Same.

Read [accepted] &

Ordered, That the Petitioner have Liberty to Bring in a Bill According to her petition. [*Passed June 17.*

CHAPTER 28.

ORDER ABOUT ARREARS TO MR ANGIERS ESTATE.

Legislative Records of the Council, xi., 547.

House Journal, p. 29. *Ante*, p. 239, chap. 231.

Ordered, That the Committee of the Western Precinct in Watertown Give in their Answer to the Report relating to Arrears, due to Mr Angiers Estate, on the Second, Wednesday of the next fall Session. [*Passed June 17.*

CHAPTER 29.

ORDER ON PUNCAPAUG AFFAIR.

Legislative Records of the Council, xi., 545, 548.

House Journal, p. 30. *Ante*, p. 227, chap. 197.

In Council; The Board taking Into Consideration ye Circumstances of the English & Indians at Puncapaug respect^g Such Lands as the Indians have Leased, to the English,

Ordered, That Paul Dudley & Sam^ll Thaxter Esq^rs with Such as the Honb^le House of Representatives Shall appoint be a Committee to repair to Puncapaug, & Enquire into the Nature & Condition of the S^d Leases, and that they may make report of the Quantity & Quality of the Land possessed by Each person, & under what Conditions & regulations, It may be proper for this Court to Confirm the Respective Leases, Having Equal Regard to the Indian Right & ye English Improvements.

In the House of Representatives Read & Concurred, with an Amendment, Viz^t The Charge to be born by the English Petitioners, And

Ordered, That Mr Speaker Mr Chambers & Mr Remington, be added to the Committee,

Agreed to in Council. [*Passed June 18.*

CHAPTER 30.

RESOLVE ALLOWING £7. 10 TO Y^E COMMITTEE FOR SELLING PROVINCE LANDS NEAR MENDON.

Legislative Records of the Council, xi., 548.

House Journal, p. 29. *Ante*, p. 275, chap. 339.

Paul Dudley & John Quincy Esq^RS & Mr Benj^a Whittemore, a Committee appointed, by the General Court, at their last Session, to Sell a Tract of Province Land Lying, Near Mendon, presented an Acc^t of the Sale of the S^d Land, with the Treasurers Reciept of the produce thereof, and preferred a Memorial praying a proper allowance for their Service in the S^d affair,

[Read, Accepted And]

Resolved, That the Sum of Seven pounds, Ten Shillings be allowed & paid out of the publick Treasury to Paul Dudley & John Quincy Esq^rs & Mr Benj^a Whittamore in full for their Time in Selling the above mentioned Land, & the S^d Committee are hereby Discharged. [*Passed June 18.*

CHAPTER 31.

ORDER ON Y^E PETITION OF SAM^LL COMESTOCK & OTHERS PRAYING CONFIRMATION OF TITLE TO LAND.

Legislative Records of the Council, xi., 544, 548.

House Journal, pp. 26, 31. *Ante*, p. 134, chap. 88.

A PETITION of Samuel Comestock, & others of the Town of Providence, in the Govrm^t of Rhode Island, Shewing that Whereas, in answer to their former petition to this Court, praying Confirmation of Nine hundred Acres of Land Granted them by the Town of Providence but falling within this Province, upon, running the Lines, between the Two Governments did order that the Lines of the Town of Mendon Should be run by a Skilfull Surveyour, in order to discover, whether the S^d Nine hundred Acres of Land was Included in the Grant of the Town of Mendon, and did particularly appoint Sam^ll Thaxter Esqr the Surveyour for that Work, he has accordingly attended it, & upon a Carefull Survey, has found that the Town of Mendon does not Extend to the S^d Nine hundred Acres of Land (as by a Plat herewith Exhibited will appear) and therefore praying that this Court would Confirm the S^d Nine hundred acres of Land to the petitioners, according to their Intention, In case it Should be found not to fall within the Mendon Bounds.

Read &

Ordered That there be laid out to Samuel Comestock & others his Associates the petitioners, at their Cost & Charge, Nine hundred Acres of Land in Some unappropriated Lands in this Province in full Satisfaction of the Nine hundred Acres petitioned for (which is in the Township of Mendon) by a Surveyour & Chain men, under oath, & a platt thereof to be returned to this Court for Confirmation within Twelve Months. [*Passed June 18.*

CHAPTER 32.

ORDER FOR REPAIRS AT CASTLE WILLIAM AND Y^E LIGHT HOUSE.

Legislative Records of the Council, xi., 549.

House Journal, pp. 10, 30. *Ante*, p. 125, chap. 97.

PURSUANT to the order of this Honb^le House, the Committee appointed, to Repair to Castle Willm & the Light House & Enquire into the Damage done there by the Great Storm in Febr^y last, Taking With them Severall Masons & Carpenters, on Friday the Fourteenth of June Curr^t Viewed Examined & Searched into the Damages, done the Wharves on Castle Island, Particularly a peice of Wharff, on the North Side of the Island, Carried away by the Storm, The Committee are humbly of opinion, That the Same be repaired by Spiles & Stones, as the other head Lands have been lately Secured; and Where the Stones are Washed off in Some few places, and the Wharves Shattered, they be made Good again to prevent the Same being Wholly Carried away Wee find the Wharff at the Light House very much broke & Considerable part of the Wood Gone, and in our opinion, it

would be best that the Main Wharff now Standing be raised Higher & built about Fifteen Foot Further with an addition at the End in the Form of a T, of Twenty Feet Long, on Each Side, and that the Back part of the Main Wharff which was Carried away be repaired, & Carried upon ye Beach as far as before, And that the Building the New, Wharff, now proposed, be done with Tun Timber of Eleven & Fourteen Inches, Square; which wee apprehend, will not be So Chargeable as the Common Way of Wharfing, but Much Stronger & more Durable: Wee Likewise Examin^d the Light House, & Searched into the Severall Cracks in the Stone Wall, but Cannot be of opinion that they were in the least Measure, Occasioned by the Late Storm, and Rather because the Cracks, are much Wider, on the Inside than on the Out, & many that appear within do not go, through the Walls, which were likely to be Occasioned by ye Fire when part of the Light House, was burnt, For if the Storm of Wind & Water had hurt the Building, the Damage Would appear, on the out Side, where the Force Came Neither Can wee perceive any of the Stones displaced;

Wherefore wee would propose, that those Cracks be Well pointed, being all that wee think adviseable to be done at present, Which Will further Discover that Matter

Wee Observe the South Side of the Foundation of the Light House to Stand not far from a Body of Rocks or Slate Stones which hath a Considerable Splitt or Hollow in it, in the Middle about Fifteen Feet Deep, The Storms beating in Washes down great Quantitys of Stones, which may be Hazardous if not Remedied by building up a Dry Wall, on a Slant, which with the Help of an Engine, will not dem^d any Considerable Cost, there being Suitable Stones at Hand, and that a Rough Wall will be made on the East Side of the House, to Secure the Upland, which wee Suppose three men may Easily accomplish in Four or Five days Wee also find the Well Brackish & not fit for Service, That there be a Well Sunk in Some other place of the Isl'd if it be found Clear of Rocks, all which is humbly Submitted by,

Elisha Cook in behalf of the Committee

In the House of Representatives, Read & Accepted, &

Ordered That Mr Speaker Mr Cook & Mr Chambers, with Such as the Honble: Board Shall appoint be a Committee to See the Repairs at Castle William and the Light House effected Accordingly,.

In Council Read & Concurred & Adam Winthrop & Jon^a Belcher Esq^rs are Joined with the Committee of ye House on the affair aforesaid. [*Passed June 18.*

CHAPTER 33.

VOTE FOR THE TREASURERS DISCHARGE ON HIS GENERALL ACCPTS.

The Accompts of Jeremiah Allen Esqr Treasurer & Reciever Generall of the Province of the Massachusets Bay in New England Beginning the 31st of May 1722, & Continued to the 31st of May 1723, Amo^t to the Sum of one hundred Forty Seven Thousand, Seven hundred & Ninety Nine pounds Five Shillings & Six pence, having been presented and laid before the House of Representatives & Inspected by S^d House by which it appears, there was Outstand^g the 31st of May 1723, Two Thousand Five hundred Seventy Four pounds, Seven Shillings & Eight pence, half penny of the Taxes, Forty Eight Thousand Seven hundred & Nineteen pounds of y^e £50,000 Loan & Thirty Five thousand, Nine hundred Forty Five pounds Fourteen Shillings & one penny Neet, Prov-

Legislative Records of the Council, xi., 551.

House Journal, p. 23.

ince Bills, & Twelve Thousand & Seventeen pounds, Thirteen Shillings & nine pence half penny, with Five p^r Cent thereon in the Treasury further to be Accompted for.

Voted that ye S^d Accompts, in the Several Articles of Reciepts & payments therein Mentioned, Amo^t to the Sum of Forty Eight Thousand Five hundred Forty two pounds, Nine Shillings & Eleven, pence, be and hereby are allowed of, and the S^d Treasurer is hereby discharged of the S^d Sum of Forty Eight Thous^d Five hundred, Forty Two pounds nine Shillings & Eleven, pence. [*Passed June 19.*

CHAPTER 34.

RESOLVE ON OXFORD PETITION IN REGARD TO TAXES OF NON-RESIDENTS.

Legislative Records of the Council, xi., 551.

House Journal, pp. 32, 33. Province Laws, i., 410. *Ante*, p. 14, chap. 26.

A PETITION of Ebenezer Learned in Behalf of himself & the other Inhabitants of the Town of Oxford, Shewing that whereas the Generall Court, were pleased to Give Liberty to the S^d Town to Tax the Lands of the Non Resident Proprietors, for the Building of their Meeting House, & Settling & Maintaining, their Minister, the Same has been found, very Beneficial to them, But for as much as their power for Taxing the Non Resident Lands was for a Limited time, which is now Expired, & the Circumstances of the Inhabitants are Still so Low, & their Number so Small that they are not Capable of Supporting a Minister, without the Like Assistance, and therefore praying that ye Act for Taxing Non Resident Lands, So far as it Relates to ye Support of the Minister may be revived, & that the Farms Lying Contignous to the Town of Oxford, & nearer to y^m than to any other Town (Especially Ridges & Waters Farms) may be annexed to them, So as to Bear their part of ye Support of ye Ministry, with the Inhabitants of Oxford.

In the House of Representatives, Read, &

Resolv^d that the prayer of the petition, be Granted, & that the petitioners have Leave, to bring in a Bill Accordingly,

In Council Read & Concurred So far as That the Town of Oxford be Impowered to Lay a Tax of Twenty Shillings p^r annum for three Years Next Coming on Every Thousand Acres of Land belonging to the Non Resident Proprietors, & So in proportion for Greater or Lesser Quantitys, for the Maintenance of the Ministry there & That Waters & Ridges Farms be added to Oxford So far as relates to ye Support of the Ministry.

In the House of Representatives, Read & Concurred. [*Passed June 19.*

CHAPTER 35.

RESOLVE ALLOWING £17. 7. 8 TO SAM^LL PATRIDGE ESQ^R.

Legislative Records of the Council, xi., 552.

House Journal, p. 31. *Ante*, p. 253, chap. 278.

A MEMORIAL of Samuel Patridge Esqr Shewing that he Supplied the Soldiers Contained in Cp^t Samuel Barnards Muster Roll, pass^d the last Session, with Several Necessarys Especially with Powder & Lead, to the Value of Seventeen pounds, Seven Shillings & Eight pence, which was Subducted, out of the Soldiers Wages, (as by the S^d Muster Roll may appear,) but has not Yet been allowed to the Memorialist, & there-

fore praying, that this Court would order the S^d^ Sum to be paid to him out of the publick Treasury, Read &

Resolved, That the Sum of Seventeen pounds Seven Shillings & Eight pence, be allowed & paid out of the publick Treasury To Coll: Samuel Patridge in full discharge of the like Value Supplied, Cp^t^ Samuel Barnard, & Company. [*Passed June 19.*

CHAPTER 36.

RESOLVE ALLOWING £40 TO THE SELECTMEN OF ARUNDEL FOR THE SUPPORT OF THE MINISTRY.

A Petition of Alleson Brown, Representative of the Town of Arundell, Shewing that Thô the S^d^ Town, were in Low Circumstances before the War broke out, Yet they Obtained a Minister to preach among them, & Gave him Sixty Pounds a Year, but Since the War many of the Inhabitants are Removed, and those that remain are much Impoverished, & rendered Uncapable of doing much for the Support of their Minister, and therefore praying, that this Court, according to their Usuall Goodness & Compassion, would order Some allowance out of ye publick Treasury, for the Maintenance of their Minister,

Legislative Records of the Council, xi., 553.

House Journal, p. 36. *Ante*, p. 199, chap. 109.

Read &

Ordered,[1] That the Sum of Forty pounds be allowed & paid out of the publick Treasury, to the Select Men of Arundell, for the Support^g^ & maintaining the Preaching of the Gospell at Arundell & Biddeford. [*Passed June 20.*

CHAPTER 37.

ORDER FOR RUNNING Y^E^ OLD COLONY LINE.

A Petition of the Representatives of the Town of Dorchester, & Braintrey; Shewing that the Generall Court were pleased, at their Session in Novr 1720, to order that the old Colony Line (as it is Called,) Should be the Southerly Bounds of the Town of Dorchester, & of the Grant made to the Town of Boston, Now part of the Town of Braintrey &c^a^, as by the Said order may more fully appear, that notwithstanding the S^d^ Order (as the petitioners Conceive) did authorize & Enable the Select men of the S^d^ Towns Respectively to notify the Select men, of the Next adjacent Towns, to Perambulate the S^d^ old Colony Line, as the Law directs, Yet the Select men of the Town of abingdon, being duely notified, by Dorchester Select men, refused, to perambulate the S^d^ Line, Because ye S^d^ Line hath not been these many Years renewed by runn^g^ out & Marking the Same, & therefore they pretended they Knew of no Such Line to be perambulated, and forasmuch as the petitioners Conceive, it would prevent much Unnecessary Trouble to the Towns Bordering on the Line if the Same were run out, & marked, pursuant to the Courts order, therefore praying that one or more Suitable persons may be appointed, by this Court to run out & Mark, the S^d^ Line, that So it may hereafter be renewed, & perambulated as the Law directs.

Legislative Records of the Council, xi., 554.

House Journal, p. 36. *Ante*, p. 50, chap. 109.

Read & in Answer to this petition,

[1] In the House Journal, "*Resolved.*"

Ordered, That Samuel Thaxter Esqr be Impowered & desired to run & mark out the old Colony Line (So Called) agreeable to the prayer of the petition. [*Passed June 20.*

CHAPTER 38.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP MERRY MEETING THO^{S} SAUNDERS M^{R}.

Legislative Records of the Council, xi., 554.

House Journal, p. 35.

A MUSTER ROLL of the Sloop Merry Meeting a Transport in his Majesties Service Eastward, Thomas Saunders Master, Containing an Account of Wages due to the S^{d} Master and Company, for their Service from Decr 14th 1722, to May 13th 1723, & for the Hire of the Said Sloop, the S^{d} Time, amo^{t} to the Sum of £243. 15/.

[Read, Accepted And]

Resolved, that the Sum of Two hundred Forty three pounds & Fifteen Shillings be allowed, & paid out of the publick Treasury to the S^{d} Thomas Saunders & the Men Entered on the Within Roll, in full discharge of the Wages, & Hire of the Said Sloop. [*Passed June 20.*

CHAPTER 39.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP GEORGE JOHN STRATTON M^{R}.

Legislative Records of the Council, xi., 555.

House Journal, p. 35.

A MUSTER ROLL of the Sloop George a Transport in his Majesties Service Eastward, John Stratton Dec^{d} late Master Containing an Acco^{t} of Wages due to the S^{d} Master & Comp^{y} for their Service from Decr 14th 1722, to May 4th 1723, & for the Hire of the Said Sloop the S^{d} time, Amo^{t} to the Sum of £179. 11. 4.

[Read, Accepted And]

Resolved that the Sum of one hundred & Seventy Nine pounds, Eleven Shillg^{s} & 4^{d} be allowed & paid out of the publick Treasury to the Executors or Administrators of the S^{d} John Stratton Dec^{d} and the other men born on the Within Roll, in full discharge of ye Wages & hire of the S^{d} Sloop. [*Passed June 20.*

CHAPTER 40.

VOTE ACCEPTING THE REPORT AB^{T} THE BRIDGES AT HASSANIMISCOE.

Legislative Records of the Council, xi., 555.

House Journal, p. 36.
Ante, p. 238, chap. 228.

THE COMMITTEE appointed by the Honb^{le} the Great & General Court, of the Province of the Massachusets Bay at their Session held at Boston in Novr last past, to repair to Hassanimiscoe, & State the places, where the Bridges must be built and that Elisha Johnson was obliged to Erect, & Lay a Road to them as far as the Province Land & Indian Grant Extended, Report as follows; Viz^{t}

That they have attended that Service, and find that S^{d} Johnson has already Erected the Frames of Two Bridges at Hassanimiscoe, upon the Branches of Blackstone River, & they are humbly of opinion, that

they are in Suitable & Convenient places, but will require Considerable Provision of Wharfing or Causway to be made to y^m for the Space of Six Rods each at the Least, at the Ends next Each other, & that the Bank at the East End of the Eastermost Bridge be Considerably Dug away to make it Convenient of access; all which the S^d Johnson has promised to do, that they may be fit for Travellers, Teams & Drovers; the Committee have also laid a Road through the Indian Grant, to S^d Bridges, from Sutton Road Near the House of Mr Farewell on the West to Sutton Lands again on the East, being by Estimation, Five Miles, having first with the Assistance of Several of the Principall, Inhabitants of Oxford & Sutton, & Five of the Hassanimiscoe Indians, Sufficiently Viewed where it Might be most accomadable, as they have marked Trees & Erected Heaps of Stones on the Southward Side of Said Road at a Suitable, distance Easy to be found, The Said Trees are Spotted on three Sides, Those Sides in the Course of the Road are thus Marked, *O7* & on the Side Next the Road thus ≡ to denote the Road to Lye Four Rod from S^d Trees, all which is humbly Submitted, by

Hassanimiscoe March 1st 1722/3 — John Chandler, Benj^a Whittamore, Wm Ward } Com:

Read, & accepted. [*Passed June 20.*

CHAPTER 41.

RESOLVE ALLOWING £8. 0. 3 ON ACC^T OF HASSANIMISCOES COMMITTEES TIME & EXPENCE.

An Accompt presented by Cp^t Wm Ward of the Committees time & Expence in Stating the place of the Bridges & the Road to Hassanimiscoe, Amo^t to the Sum of £8. 7. 4.

Legislative Records of the Council, xi., 556.

[Read And]

House Journal, p. 36. *Supra*, chap. 40.

Resolved, That the Sum of Eight pounds & three pence, be allowed & paid out of the publick Treasury to Messrs John Chandler, Benj^a Whittamore, & Wm Ward in full of this Accompt. [*Passed June 20.*

CHAPTER 42.

VOTE REFERRING TO M^R THO^S CRAIGHEADS AFFAIR.

A hearing having been had on the petition of the Revr^d Mr Thos Craighead late Minister of the Town of Freetown, Setting forth that the Said Town are in arrears to him for Several Years Service in the Work of the Ministry, among them, together with the answer of the Town, by their agent, & other persons Concerned, Upon which hearing it appears, That the Orders made for the Support, & maintenance of the S^d Mr Craighead, have not been duely observed, but by the Contrivances and practices of Ill men, have been Eluded & rendered Ineffectuall and in as much as no Representation thereof has been made to this, Court by the Generall Sessions of ye peace for the County of Bristoll, as the Law directs It is therefore

Legislative Records of the Council, xi., 558.

Legislative Records of the Council, xi., 553. House Journal, pp. 40, 41. *Ante*, p. 291, chap. 12.

Ordered That the Justices of the Said County do at their next Gen^ll Sessions of the peace make further Enquiry (if need be) into the State of the Said Mr Craigheads, Case & the arrears they apprehend, due to him from the S^d Town, for his Services, as aforesaid, & that they Rep-

resent & make report, thereof, to the next Session of this Court that Such order may be taken thereon, as to Justice doth Appertain. [*Passed June 21.*

CHAPTER 43.

ORDER ON PETITION OF JOHN PYNCHEON ESQR FOR LAYING OUT 500 ACRES OF LAND &cA.

Legislative Records of the Council, xi., 559.

House Journal, p. 37.

A PETITION of John Pyncheon Esqr, Shewing that the Generall Court, in the Year 1666, did upon the petition of his Grandfather, Cpt John Pyncheon Decd, Grant him Five hundred Acres of Land in Consideration of his past Services, which has not been Yet laid out, As appears by the Annexed Record & Certificate, & therefore praying that the Court would order the Laying out of the Sd Five hundred acres of Land

Read & in answer to this petition,

Ordered, That there be laid out to the Heirs or Lawfull Representatives, of Cpt John Pyncheon late decd Grandfather to the Petitioner, in full Satisfaction of the Grant made by the Great & Generall Court at their Session in May 23d 1660, to the Sd Capt John Pyncheon, Five hundred Acres of Land, not Infringing on any former Grant, by a Surveyr & Chain Men, under oath at the Charge of the Petitioners and a Platt thereof to be returned to this Court, within Twelve months, for Confirmation. [*Passed June 21.*

CHAPTER 44.

RESOLVE ALLOWING £53. 19 TO JOS: WILLARD.

Legislative Records of the Council, xi., 560.

House Journal, p. 40.

AN ACCOMPT presented by Josiah Willard Esqr Secry of Transcribing, the Records of the General Assembly, from the Beginning of the Session in May 1699, to the beginning of the Session March 10th 1702, & from the Beginning of the Session Novr 7th 1716 to June 4th 1719, Amot in the whole, to the Sum of £53. 19/.

[Read and]

Resolved, That the Sum of Fifty three pounds, & Nineteen Shillings, be allowed & paid out of the publick Treasury to Josiah Willard Esqr in full discharge of this Accompt. [*Passed June 21.*

CHAPTER 45.

RESOLVE ALLOWING £7 TO JNO BLANCHARD.

Legislative Records of the Council, xi., 560.

House Journal, p. 31.

A PETITION of John Blanchard, praying an allowance, for a Horse of the Petitioners, Impressed to Carry ye Delegates to, West field, which Horse Died on the Journey & for the Furniture which is Stopped on the Road, to Satisfy for ye Keeping of the Said Horse,

[Read Accepted And]

Resolved, that the Sum of Seven pounds be allowed, & paid out of the publick Treasury, to the petitioner John Blanchard, in full Satisfaction for the Horse Mentioned in the Petition. [*Passed June 21.*

CHAPTER 46.

ORDER ALLOWING ACCOUNTS OF C° TREASURER OF HAMPSHIRE.

An Accompt of Joseph Hawley, Treasurer of ye County of Hampshire, Ending Febry 1722, Having been Inspected by ye Court of General Sessions of ye peace for the Said County & by them allowed

Read &

Ordered That this Accompt be allowed. [*Passed June 21.*

Legislative Records of the Council, xi., 560.

House Journal, p. 41.

CHAPTER 47.

VOTE ALLOWING THE C° TREASURER OF BARNSTABLE ACC^T.

An Accompt presented by Ebenezer Lewis, Treasurer of ye County of Barnstable Ending april 19th 1723, Having been presented by the Court of General Sessions of ye peace, for the S^d County & by them Accepted & allowed.

Read &

Ordered that this Accompt be allowed. [*Passed June 21.*

Legislative Records of the Council, xi., 560.

House Journal, p. 41.

CHAPTER 48.

RESOLVE ALLOWING £31 TO BART: GREEN & SAM^LL KNEELAND.

An Accompt of Bartholemew Green & Samuel Kneeland of Printing, the Votes of the Representatives for the Last Session, amo^t to £31. 18/.

[Read And]

Resolv^d That the Sum of Thirty one pounds be allowed & paid out of the publick Treasury, to Bartholemew Green & Samuel Kneeland in full discharge of this Accompt. [*Passed June 21.*

Legislative Records of the Council, xi., 561.

House Journal, p. 41.

CHAPTER 49.

RESOLVE ALLOWING £29. 17. 2 TO BART GREEN.

An Accompt of Bartholemew Green, of Paper & printing for the Government, to April 27th 1723, Amo^t to the Sum of £29. 17. 2.

[Read And]

Resolved, that, the Sum, of Twenty Nine pounds Seventeen Shillings & Two pence be allowed & paid out of the publick Treasury, to Bartholemew Green to discharge this Accompt. [*Passed June 21.*

Legislative Records of the Council, xi., 561.

House Journal, p. 41.

CHAPTER 50.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF COLL: ELEAZAR TYNG & COMP^A.

Legislative Records of the Council, xi., 561.

House Journal, p. 42.

A MUSTER ROLL of the Scout, under the direction of Coll: Eleazar Tyng, Containing an Accompt of Wages due to them, for their Service from Novr 30th 1722 to June 11th 1723, Amo^t to £243. 18. 9 & the Subsistence of the S^d Men, the S^d time, Amo^t to £116. 5. 9.

[Read, Accepted And]

Resolved, That ye Sum of Two hundred Forty three pounds, Eight Shillings, and nine pence be allowed & paid out of the publick Treasury to the officers & Soldiers born on the within Roll, to whom, the Same is respectively due, in full discharge of the Wages thereof, & Further that the Sum, of one hundred & Sixteen pounds, Five Shillings & three pence[1] be allowed, & paid out of the publick Treasury, to Coll: Eleazar Tyng, for Subsistence for the, within Men, to be by him paid, to the person or persons, that have Subsisted them in full. [*Passed June 21.*

CHAPTER 51.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CP^T JOSEPH HEATH & COMP^A.

Legislative Records of the Council, xi., 561.

House Journal, p. 41.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Cp^t Joseph Heath Containing an Accompt of Wages due to them for their Service from Novr 15th 1722; to June 12th 1723, Amo^t to the Sum of £746. 1. 7.

[Read Accepted And]

Resolved That the Sum of Seven hundred Forty Six pounds one Shill^g & Seven pence, be allowed & paid out of the publick Treasury to the officers & Soldiers, born on the within Roll, to whom ye Same is respectively due, in full discharge of the Same. [*Passed June 21.*

CHAPTER 52.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF L^T W^M HILTON & COMP^A.

Legislative Records of the Council, xi., 561.

House Journal, p. 34.

A MUSTER ROLL of the Company under the Command of Lieu^t William Hilton, Containing an Account of Wages, due to them for their Service Eastward, from August, 15th to, Decr 11th 1722, Amo^t to the Sum of £290. 3. 8.

[Read, Accepted And]

Resolved, That the Sum of Two hundred & Ninety pounds, three Shillings & Eight pence, be allowed & paid out of the publick Treasury, to the officers & Soldiers born on the within Roll, to whom the Same is Respectively due, in full discharge of the Wages thereof. [*Passed June 21.*

[1] The House Journal reads, £116. 5. 9.

CHAPTER 53.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP VIRGIN CALEB PRATT M^R.

A Muster Roll of the Sloop Virgin, (a Transport in his Majesties Service) Caleb Pratt Master Containing an Acco^t of Wages due to the S^d Master & Comp^a (together with the Hire of the Said Sloop) from Jany 7th 1722, to June 3^d 1723 Amo^t to the Sum of £117. 14. 10.

[Read, Accepted And]

Resolv^d That the Sum of one hundred & Seventeen pounds Fourteen Shillings & Ten pence be allowed & paid out of the publick Treasury to the Said Caleb Pratt, to be by him paid to the Several persons to whom the Same is respectively due, (as Entered in the within, Roll) in full discharge thereof. [*Passed June 21.*

Legislative Records of the Council, xi., 562.

House Journal, pp. 33, 34.

CHAPTER 54.

VOTE FOR ADJOURNING Y^E COURTS IN Y^E COUNTY OF ESSEX.

Whereas the Court of General Sessions of the peace & Inferiour Court of Common pleas, for the County of Essex, are appointed by Law to be held at Salem in Said County, on the last Tuesday of June Curr^t & Several of the Justices of the Said Court, & others Concerned are members, of this Court,

Resolved,

That in Consideration of the present Sitting of the General Court the S^d Court of General Sessions of the peace, & Inferiour Court of Common pleas be & hereby are adjourned to the third Tuesday in July next, Any Law Usage or Custom to the Contrary not withstanding. [*Passed June 22.*

Legislative Records of the Council, xi., 563.

House Journal, p. 43. Province Laws, ii., 519, chap. 19.

CHAPTER 55.

ORDER ON JOHN DUNTONS PETITION IN REGARD TO THE LOCATION OF A MEETING HOUSE.

A Petition of John Dunton, John Graves, & Divers other persons, who dwell on Farms within the Town of Natick and adjoining to Sudbury, Shewing that whereas, the Generall Court were pleased to Sett them to the East Precinct in Sudbury in answer to the petition of William Jennison, and others, In which it was Suggested, that it was the desire of ye present petitioners, to be placed, there, they think it proper to Inform this Court, that the Inhabitants of the Said East End, of Sudbury, did Engage to the petitioners, to remove the Meeting House nearer to the petitioners, & pass'd a Vote, But that they are now repairing the Said Meeting House where it now Stands, So that the petitioners are defeated, as to ye Grounds, & reasons of their Willingness, to be Joined to Sudbury, & therefore praying that the S^d East Meeting House at Sudbury, may be removed nearer to them or that they may Ly to Natick, as formerly.

Read &

Ordered, That the East precinct of the Town of Sudbury be Served

Legislative Records of the Council, xi., 564.

House Journal, p. 44. *Ante*, p. 79, chap. 2.

with a Copy of this petition, that so they may Give in their answer, on the Second Friday of the Next Session, Why the prayer of the petition sh^d not be Granted. [*Passed June 24.*

CHAPTER 56.

ORDER ON EDM^D POTTERS PETITION PRAYING FOR AN APPEAL FROM A SENTENCE.

Legislative Records of the Council, xi., 565.

House Journal, pp. 43, 44.

A PETITION of Edmund Potter of Ipswich Shewing that he was prosecuted before Mr Justice Berry, for Spreading a false report of Major Matthew Whipple, and the petitioner was fined Ten Shillings by the S^d Justice, from which Judgment he appealed to the Court of General Sessions, of the peace, next to be holden for the Said County & recognized with Sureties to prosecute his appeal with effect but Being Ignorant of the Law, he Carried his reasons of appeal to the S^d Justice, from whose Sentence he appealed (who recieved & filed the Same) instead of Carrying them to the Clerk of the Court appealed to, by which Errour he is defeated of the Benefit of his appeal, and therefore praying, that his appeal may be Continued to ye: Next Court, & that he may be Impowered to file his reasons, anew.

[Read and] In answer to this petition

Ordered, That upon the Petitioners Entering his Action at the Court of General Sessions of the peace, to be holden at Salem for the County of Essex by adjournment on the Third Tuesday of July next, The Justices of the Said Court be & hereby are directed to Continue the Matter, over to the next Term, and that the petitioner file his reasons, of appeal in the Clerks office of the Court appealed to in Time, any Law Usage or Custom, to the Contrary notwithstanding. [*Passed June 24.*

CHAPTER 57.

ORDER ALLOWING £21. 17 TO SAM^LL ASHLEYS ADMINISTR^RS.

Legislative Records of the Council, xi., 566.

House Journal, p. 45.

IN ANSWER to the Petition of Samuel Ashley, formerly presented to this Court, & now revived (at the desire of the administrators, of the S^d Sam^ll Ashley) in Behalf of Jonas Dow of Albany, praying that the Sum of Twenty one pounds & Seventeen Shillings may Be paid out of the publick Treasury, for Subsisting one Boveneau Formerly a French prisoner

Ordered that the Sum of Twenty one pounds and Seventeen Shillings be allowed & paid out of the publick Treasury to David Ashley: & John Ingersoll, J^r administrators on ye Estate of ye S^d Samuel Ashley dec^d for Subsisting the S^d Beveneau in full. [*Passed June 25.*

CHAPTER 58.

ORDER FOR PROSECUTING TRESPASSERS IN HAMPSHIRE.

Legislative Records of the Council, xi., 566.

IN THE HOUSE OF REPRESENTATIVES, This House, being Informed of Divers Trespasses, Committed within the County of Hampshire by boxing & barking Pine Trees, &c^a for Turpentine, on Land, belonging to

this Province, Contrary to ye Law, of the Province in the First Year, of the reign of his present Majesty; House Journal, p. 45. Province Laws, ii., 6, chap. 3.

Ordered, That Mr Timothy Dwight, of northampton, Mr William Pyncheon of Springfield, & Mr Ebenezer March of Hadley, be a Committee, who are hereby directed to use all proper Methods for the detecting the Trespasers & their names transmitt (together with the Evidences ags^t them) to the attorney General, that he may be Enabled to prosecute them and, S^d attorney is directed to depute Some Meet Person to Seize & Secure all Such Turpentine, as Shall be found on the Province Land together with the Utensils; The S^d Committee are further

Ordered to Lease out. all Such, Turpentine Trees, as they find Boxed on the Province Land, at Reasonable prices, & the Money they recieve therefor to pay into the Treasury, Provided they shall not Lease any Such Trees to any persons that Shall be Strongly Suspected to be Trespassers, or to any other that will not Give Security that Such Trees Shall not be Used, by or for the Benefitt of Such Trespassers, In Council Read & Concurred. [*Passed June 25.*

CHAPTER 59.

RESOLVE ALLOWING £34. 9 TO DR GEORGE PEMBERTON.

An Account of Dr George Pemberton for medicines Externally & Internally administred to the Sick Lame and wounded belonging to Castle William, amo^t to the Sum of £34. 9/. Legislative Records of the Council, xi., 567.

[Read, And] House Journal, p. 43.

Resolv^d that the Sum of Thirty Four pounds Nine Shillings be allow^d & paid out of the publick Treasury to Dr George Pemberton the Accomptant, in full discharge of the within Acc^t. [*Passed June 25.*

CHAPTER 60.

ORDER ON Y^E PETITION OF Y^E INHABITANTS OF Y^E EAST PART OF ENFEEILD TO BE SET OFF AS A SEPARATE PRECINCT.

A Petition, of the Inhabitants of the East End of the Town of Enfeild, Shewing that upon their application to the Town, they did at a Meeting, held June 3^d 1723, Vote that a precinct be allowed, in the East part of the Township, from ye mouth of the Brook, Called, Coronation Brook, & So to run north & South, through the Township, the Town to keep the right of Soil in their own hands, & the Proprietors not in ye least Debarred from taking up Second & third Divisions within those Limits, for the Use & Improvement, of the Commons within, S^d Precinct, and praying that this Court would Confirm the S^d Vote, & Sett them off a Seperate precinct, accordingly and Give them Liberty, to Lay their Taxes on all the Land laid out within the Bounds of their precinct for Some Years, the Better to Enable them to Build a Meeting House & Settle a Minister, Read, & In answer to the petition, of the East part of the Town of Enfeild. Legislative Records of the Council, xi., 568. House Journal, pp. 45, 46.

Ordered, that the Said East part of the Town of Enfeild, as bounded in & by a Vote of June 3^d 1723, & agreeable thereto, be Sett off as a Seperate Precinct, & have Use Exercise, & Enjoy all Such Powers &

Priveledges which other Precincts, have Use Exercise & Enjoy, & that Edward Kibbee, & Ebenezer Jones (two of the principall Inhabitants of the Said Precinct) are hereby directed & Impowered to notify & Summon the Inhabitants duely Qualified for Voters to Assemble & meet together, for the Chusing all Precinct officers, & detirmine the way & method of future meetings of Said Precinct. [*Passed June 25.*

CHAPTER 61.

ORDER ON ROBRT GRAYS PETITION CONTINUING HIS PAY NOTWITHSTANDING HIS INABILITY.

Legislative Records of the Council, xi., 550, 569.

House Journal, p. 48.

A PETITION of Robert Gray a Soldier At His Majesties Castle William, Shewing that he has Recieved Several Wounds in the publick Service, which have almost wholly disabled him, and that he is now under very great Bodily Indispositions; & therefore praying the Compassionate Consideration of this Court, & that Some thing may be done for his relief,

[Read Accepted and]

Ordered, That the Sd Robert Gray be Continued in & recieve the pay & Subsistence of this Government, as heretofore at the Castle, His Inability to do duty notwithstanding. [*Passed June 25.*

CHAPTER 62.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT FORT MARY.

Legislative Records of the Council, xi., 569.

House Journal, p. 48.

A MUSTER ROLL of the Garrison in his Majesties Service at Fort Mary at Winter Harbour, Containing an Accompt of Wages due to them, for their Service, under Capt Samll Hinks, from Decr 6th 1722, to June 15th 1723, Amot to the Sum of £136. 16. 6.

[Read, Accepted And]

Resolvd That the, Sum of one hundred Thirty Six pounds Ten Shillings & Six pence be allowed & paid out of the publick Treasury to Cpt Samuel Hinks & the men Inserted on the other side to whom the Same is respectively due in full discharge of ye Wages of this Roll. [*Passed June 25.*

CHAPTER 63.

RESOLVE ALLOWING £17. 3 TO CAPT SAMUELL HINKS.

Legislative Records of the Council, xi., 570.

House Journal, p. 49.

AN, ACCOMPT of Sundry disbursments of Capt Samuel Hinks on his Majesties Fort Mary, at Winter Harbour, & the Garrison there Amot to the Sum of £17. 0. 3.

[Read Accepted And]

Resolved that the Sum of Seventeen pounds & three pence be allowed, & paid out of ye publick Treasury, to the Accomptant Cpt Samuel Hinks in full discharge of this Accompt. [*Passed June 25.*

CHAPTER 64.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CPT JOHN PENHALLOW & Co.

A Muster Roll of the Company in his Majesties Service under the Command of Cpt John Penhallow, Containing an Accpt of Wages due to them for their Service Eastward from Novr 15th 1722 to June 19th 1723, Amot to the Sum of £816. 19. 8.

Legislative Records of the Council, xi., 570.

House Journal, p. 49.

[Read, Accepted And]

Resolved, That the Sum of Eight Hundred & Sixteen pounds, Nineteen Shillings & Eight pence, be allowed & paid out of the publick Treasury to Capt John Penhallow, & the men born on the within, Roll, to whom the Same is due, respectively, in full discharge thereof. [*Passed June 25.*

CHAPTER 65.

VOTE ON MARY TWITCHELLS PETITION IN REGARD TO WAGES OF HER HUSBAND, IN CAPTIVITY.

A Petition of Mary Twitchell, Praying in Consideration of her husband, Benja Twitchells, being in Captivity that she may be Impowered, to recieve out of the publick Treasury, the Sum of Nine pounds, & Twelve Shillings due to her Sd Husband in Major Moodeys First Muster Roll.

Legislative Records of the Council, xi., 570.

House Journal, p. 44.

Read &

Voted,[1] That the prayer of this petition be Granted, & That the Treasurer of the Province pay the Wages due to the within named Twitchell, to Cpt Samll Bullard, to be Employed & Improved, for the Benefitt of the petitioner & her Family. [*Passed June 26.*

CHAPTER 66.

ORDER ALLOWING £2. 11. 6 TO JOHN PYNCHON FOR DAVID INGERSOLL.

A Petition of David Ingersoll, Praying the allowance of Sundry Articles relating to His Journey, to Albany, with John Higgins in march last, his Entertaining Indians, &ca Amot to the Sum of £16. 7. 4.

Legislative Records of the Council, xi., 573.

House Journal, p. 47.

[Read And] In answer to this petition and Accompt

Ordered, That the Three Articles, Charged for Victualls & Drink for the Indians, & Interpreter, amot in the whole to Two pounds Eleven Shillings, & Six pence, be allowed & paid out of the publick Treasury to John Pyncheon, Esqr for the Use of ye petitioner. [*Passed June 26.*

[1] In the House Journal, "*Resolved.*"

CHAPTER 67.

RESOLVE ALLOWING £56. 7. 9 TO CPT JOHN PENHALLOW.

Legislative Records of the Council, xi., 573.

House Journal, p. 48.

AN ACCOMPT presented by Capt John Penhallow of Ware house Hire, at arowsick, & Sundry Disbursments, for the publick Service, Amot to the Sum of £58. 15. 9.

[Read Accepted And]

Resolved, that the Sum of Fifty Six pounds, Seven Shillings & Nine pence [1] be allowed & paid out of the publick Treasury to John Penhallow Esqr the Accomptant, in full discharge of the within Accompt. [*Passed June 26.*

CHAPTER 68.

RESOLVE ALLOWING £4. 6. 11 TO ELIZA SMITH.

Legislative Records of the Council, xi., 575.

House Journal, p. 54.

AN ACCOMPT of Elizabeth Smith for Lodging Diet, Funeral Expences, &ca For Theophilus Richardson, decd (an Ensign in the Service Eastward) amot to ye Sum of £4. 6. 11.

[Read, Accepted And]

Resolvd That the Sum of Four pounds Six Shillings & Eleven pence, be allowed & paid out of the publick Treasury to the Said Elizabeth Smith, in full discharge of this Accompt. [*Passed June 28.*

CHAPTER 69.

RESOLVE ALLOWING 26SH. TO MAJOR HABIJAH SAVAGE.

Legislative Records of the Council, xi., 575.

House Journal, pp. 54, 55.

AN ACCOMPT presented by Major Habijah Savage, for Subsistence of Samuel Lovell a Soldier amot to Twenty Six Shillings,

[Read And]

Resolved, That the Sum of Twenty Six Shillings, be allowed and paid out of the publick Treasury to Major Habijah Savage ye Accomptant in full discharge of his Accompt. [*Passed June 28.*

CHAPTER 70.

RESOLVE ALLOWING £7 TO CPT TIMO DWIGHT.

Legislative Records of the Council, xi., 575.

House Journal, pp. 39, 40.

AN ACCOMPT presented by Timothy Dwight, of the Charge of Surveying the Province Land, between Hadley & Brookfeild, Amot to £7.

[Read And]

Resolved, that the Sum of Seven pounds be allowed and paid out of the publick Treasury to Coll: John Stoddard, for the Use of the Accomptant in full discharge of the sd Accompt. [*Passed June 28.*

[1] The House Journal reads, £46. 7. 9.

CHAPTER 71.

RESOLVE ALLOWING 23sh. TO LUKE SMITH.

An Accompt presented by Luke Smith for Billeting Soldiers in July 1722, amo^t^ to Twenty three Shillings Legislative Records of the Council, xi., 576.

[Read, And]

Resolved, that the Sum of Twenty three Shillings be allowed & paid out of the publick Treasury to the Accomptant, Luke Smith, in full discharge of this Accompt. [*Passed June 28.* House Journal, p. 52.

CHAPTER 72.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAP^T^ SAM^LL^ BARNARD & C^O^.

A Muster, Roll of the Company in his Majesties Service in the Western Frontiers, under the Command of Cp^t^ Sam^ll^ Barnard, Containing an Acc^t^ of Wages due to them, for their Service, from Novr 21st to Jany 22^d^ 1722, with their Subsistence, Amo^t^ to the Sum of £352. 3. 4. Legislative Records of the Council, xi., 576. House Journal, p. 47.

[Read, Accepted And]

Resolved, That the Sum of Two hundred, Forty Two pounds Five Shillings, & Four pence, be allowed & paid out of the publick Treasury, to the officers & Soldiers, in full of their Wages, as respectively due, per the within Roll, and further that the Sum of one hundred, & nine pounds, Eighteen Shillings be allowed & paid out of the publick Treasury to Coll: Sam^ll^ Patridge, to be by him paid to the person, or persons, that have Subsisted the men born on this Roll, in full discharge of the Subsistence, as per the Roll appears. [*Passed June 28.*

CHAPTER 73.

ORDER ALLOWING £63 TO CP^T^ FRANCIS BARKER.

A Memorial of Cp^t^ Francis Barker, Setting forth, Why he mustered in his Last Roll Five men Excepted against by the Court, & praying that the Stop may be taken off his Wages in the S^d^ Roll Read Legislative Records of the Council, xi., 576.

[Accepted] &

Ordered, That the Sum of Sixty three pounds be allowed & paid out of the publick Treasury, to Cp^t^ Francis Barker in full for the Wages due to him in his last Muster Roll The Estople put thereon, the last Session of this Court Notwithstanding. [*Passed June 28.* House Journal, pp. 59, 75 (Jan., 1722); pp. 51, 53, 54.

CHAPTER 74.

ORDER ALLOWING THE CO. TREAS^R^ OF SUFFOLK HIS ACC^T^.

An Accompt presented by Samuel Checkley Esqr Treasurer of the County of Suffolk Ending in May 1723, Hav^g^ been Examined, by the Legislative Records of the

Council, xi., 576.

House Journal, p. 55.

Court of General Sessions of the peace for ye S^d County & by them accepted & allowed,

Read &

Ordered that this Accompt be allowed. [*Passed June 28.*

CHAPTER 75.

RESOLVE ALLOWING 45SH. TO CP^T FRANCIS BARKER FOR ROBR^T PEIRCE.

Legislative Records of the Council, xi., 578.

House Journal, pp. 57, 58.

A MEMORIAL of Capt Francis Barker, in Behalf of Robert Peirce, a Soldier in his Company, praying an allowance, for a Gun lost in the publick Service.

Read &

Resolv^d That the Sum of Forty Five Shillings be allowed, & paid out of ye publick Treasury, to Cp^t Francis Barker, for the use of the afores^d Robert Peirce, in Consideration of the Loss of his Gun. [*Passed June 28.*

CHAPTER 76.

ORDER ON PETITION OF ISAAC LITTLE ESQ^R FOR A NEW TRIAL.

Legislative Records of the Council, xi., 578.

House Journal, p. 55.

A PETITION of Isaac Little Esqr Shewing, that upon a Review of an Action of the Case ags^t Joseph Mallison, at the Superiour Court held at Plimouth in the Year 1720, Judgment went against him, through his not Delivering his Acc^t of Disbursments to the Jury, he Expecting that the Jury would have brought in Such a Verdict, as would Leave the adjusting the Acc^t with the Judges, & praying that he may be admitted to a New Triall of his Said Cause, at the next Superiour Court to be held at Plimouth, aforesaid,

Read &

Ordered, That the petitioner at his own Cost & Charge, Serve Joseph Mallison, with a Copy of the petition that So he may give in his reasons, (If any he have) on the First Friday of the next Session of this Court, why the prayer thereof should not be granted, and that Execution of the Judgment of the Superiour Court be Suspended in the meantime, Any Law Usage or Custom to ye Contrary notwithstanding. [*Passed June 28.*

CHAPTER 77.

VOTE REFERRING TO A MINISTER FOR DARTMOUTH.

Legislative Records of the Council, xi., 579.

Legislative Records of the Council, xi., 573. House Journal, p. 58. Province Laws, ii., 26, chap. 17; 243, chap. 4. *Ante*, p. 177, chap. 56.

IT APPEARING to this Court that the Town of Dartmouth, neglect & refuse to maintain, an able Learned Orthodox Minister.

Resolved, That the Salary or allowance, for an able Learned & Orthodox Minister, for the Town of Dartmouth, be one hundr^d pounds, to be paid out of ye publick Treasury, which Said Sum of one hundred pounds, is to be added to the proportion of the S^d Town of Dartmouth in their Province Tax, for this present Year.

And it is Recommended to the Justices of the County of Bristoll at their next Generall Sessions of the peace to put the Laws of the

province, referring to the Supporting of ministers in Execution on the S^d^ Town of Dartmouth, for not ordering & appointing a Sufficient & Suitable Salary, for an able Learned & orthodox Minister, which if duely Submitted to, the S^d^ Town to be Reimbursed Either ye Whole or Such Proportion as they pay, Pursuant to the order of the S^d^ Justices. [*Passed June 28.*

CHAPTER 78.

VOTE REFERRING TO A MINISTER FOR TIVERTON.

It appearing to this Court, That the Town of Tiverton, neglect & refuse to Settle & maintain, an able Learned, & Orthodox Minister;

Legislative Records of the Council, xi., 579.

Resolved, That an Able Learned & Orthodox Minister be provided, by order of this Court, for the S^d^ Town of Tiverton, for ye Year Ensuing, to be recommended, as the Law directs, and that his allowance, or Salary, be Seventy two pounds, Eleven Shillings, to be paid out of the publick Treasury; which Said Sum of Seventy two pounds, Eleven Shillings be added, to the proportion, of the S^d^ Town of Tiverton, in their Province Tax for ye present Year, And it is Recommended, to the Justices of ye County of Bristoll, at their Next Generall Sessions, of the peace to put the Laws of this Province referring to the providing, & Supporting of Ministers in Execution, upon the S^d^ Town of Tiverton by appointing, an able Learned & Orthodox Minister, & order^g^ a Sufficient & Suitable Salary for him, which if duely Submitted to, the S^d^ Town to be Reimbursed the whole or Such proportion, as they pay Pursuant to the order of the S^d^ Justices. [*Passed June 28.*

Legislative Records of the Council, xi., 573. House Journal, pp. 58, 59. Province Laws, ii., 26, chap. 17; 243, chap. 4. *Ante*, p. 177, chap. 57.

CHAPTER 79.

ORDER ON PETITION OF INHABITANTS OF THE NORTH PART OF CHARLESTOWN TO BE SET OFF TO MALDEN.

A Petition of a Committee for the Inhabitants of Charlestown Living on the north Side of Mistick River, Setting forth Several Difficulties they are under, by reason of their not being wholly Sett off to Malden, and praying that they may no Longer Continue as part of Charlestown, but in all Respects be Annexed to the Town of Maulden.

Legislative Records of the Council, xi., 580.

In the House of Representatives, Read & in answer to this petition,

Ordered that Coll: Bourn, Mr Edward White & Coll: Dudley, with Such as the Honb^le^ Board, shall appoint be a Committee to repair to that part, of Charlestown Lying on the North Side of Mistick River, & View & Enquire into the Situation & Cir[c]umstances, of the petitioners and make report, of what they think proper, for this Court, to order thereon, at the Charge of the Petitioners,

House Journal, p. 20. *Ante*, p. 193, chap. 92.

In Council, Read & Concurred, &

Ordered that Penn Townsend, & Spencer Phipps Esq^rs^ be Joined in the affair. [*Passed June 28.*

CHAPTER 80.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF THE GARRISON AT NORTHFEILD.

Legislative Records of the Council, xi., 580.

House Journal, p. 53.

A MUSTER ROLL of the Garrison in his Majesties Service at Northfeild, under the Command of Lieu^t Joseph Kellog, Containing an Accompt of the Wages & Subsistence of S^d Garrison, from Jany 23^d 1722, to June 18th 1723, Amo^t to the Sum of £340. 12. 5.

[Read, Accepted And]

Resolved, That the Sum of Two hundred & Twenty Six pounds Thirteen Shillings & Ten pence be allowed, & paid out of the publick Treasury to the officers & Soldiers born on the within Roll, to whom the Same is Respectively due, in full discharge of the Wages due on this Roll, and that the Sum of Twelve pounds, nine Shillings, together with one hundr^d & Eleven pounds Ten Shillings & Eight pence, & the Sum of Two pounds, & three pence, making in the whole the Sum of one Hundred & Twenty Five pounds, Nineteen Shillings & Eleven pence (So much due for Supplying & Subsisting the men.) as by the within Roll, & Acc^t of Coll: Patridge hereto Annexed appears)[1] be allowed & paid, out of the publick Treasury to Coll: Sam^ll Patridge in full discharge for Subsistence & Supplys of the men, as by the Muster Roll to be by him paid to the person or persons, that have Subsisted or Supplied any of the s^d men, and further that the Sum of Seven Shillings and Eight pence be allowed & paid out of the publick Treasury to the S^d Samuel Patridge Esqr for the Use of Dr Thomas Hastings In full for his note of Medicines as by the Same hereto annexed appears. [*Passed June 28.*

CHAPTER 81.

ORDER ALLOWING £6. 7. 4 TO CP^T WILL^M WARD.

Legislative Records of the Council, xi., 581.

House Journal, p. 52. *Ante*, p. 181, chap. 67.

AN ACCOMPT presented by Capt Wm Ward, of the Charge of Surveying a Tract of Land, belonging to the Province, Lying Westerly of Brookfeild, amo^t to the Sum of £6. 7. 4.

[Read, And]

Ordered That the Sum of Six pounds, Seven Shillings & Four pence, be allowed & paid out of the publick Treasury, to Wm Ward for himself & others, Assisting him, in Said Service, in full of Said Accompt. [*Passed June 28.*

CHAPTER 82.

RESOLVE ON SUTTON PETITION FOR POWER TO TAX LANDS OF NON-RESIDENTS.

Legislative Records of the Council, xi., 581.

House Journal, p. 31. Province Laws, ix., 617, chap. 77. *Ante*, p. 302, chap. 34.

A PETITION of the Inhabitants of Sutton Setting forth their difficulties with Respect to the maintenance of a Minister, among them, & praying that they, may be Impowered, to Tax the Lands of the Non Resident Proprietors and that the Farms that Lye next to them, & belong to No other Towns, Viz^t Messrs Taylours, Davenports, Hutchinsons, & Collin's may be added to the S^d Town together with those that Dwell on the Lands, belonging to the Indians, on the Side of Blackstones River next to Sutton. Read &

[1] Marks of parentheses *sic*.

Resolved that the prayer of the petition be So far granted That the Petitioners be allowed, to bring in a Bill to Assess the Proprietors of the Unimproved Lands, in the Township of Sutton, after the rate of one Farthing p^r acre, for three Years to Come, for & toward the Support of the Ministry there (The Lands belonging to the Indian Proprietors at Hassanimiscoe Excepted,) & that the Inhabitants on the Four Farms mentioned in the petition, Excepting Richard Waters, & Sam^ll Rich Inhabitants of the Farm called Coll: Tailers Farm (they being already annexed to Oxford by a Resolve pass'd this present Session) be annexed, to the Township of Sutton, So far as to be obliged to pay their proportion to the Support of the Ministry of Sutton During the pleasure of this Court. [*Passed June 28.*

CHAPTER 83.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E GARRISON AT CASTLE W^M.

A Muster Roll of the Garrison in his Majesties Service at Castle William, under the Command of the Honble Wm Dummer, Esqr, Containing an Acc^t of Wages due to them for their Service from Novr 30th 1722, to March 31st 1723, Amo^t to, the Sum of Two, Hundred Forty pounds, Sixteen Shillings.

Legislative Records of the Council, xi., 584.

House Journal, p. 60.

[Read, Accepted And]

Resolved, That the Sum of Two Hundred Forty two pounds & Sixteen Shillg^s be allowed & paid out of the publick Treasury to the officers & Soldiers, born on the within Roll, to whom the Same is respectively due in full discharge of the Wages thereof. [*Passed June 29.*

CHAPTER 84.

ORDER ON REPORT ABOUT Y^E PROVINCE LANDS NEAR DORCHESTER.

Pursuant to the order of the General Court at their Session the 28th Novr 1722, Directing us the Subscribers to run the lines of a Certain Tract of Land Adjoyning to the Town of Dorchester and if wee find any persons have got into possession of the premises, that wee report the Same to the S^d Court, that So the Attorney General may bring forward a proper Writt in the Law to Eject all Such,. In Obedience, to the above s^d Order Jany 21st 1722–3 Wee ran the Line & do find Daniel Howard, Robr^t Howard, Joseph Snell, & Ephraim Fobes have possessed themselves thereof by planting Trees, & Fencing part of the S^d Land, also have Built two dwelling Houses, thereon the Year last past

Legislative Records of the Council, xi., 586.

House Journal, p. 65.

Ante, p. 226, chap. 195.

(Signed) Sam^ll Thaxter,
Robert Spurr,
John Quincy.

Read &

Ordered that this Report be accepted and that the attorney Generall be directed forthwith, to bring forward a proper Writt or Writts in the Law to Eject Daniel Howard, Robert Howard, Joseph Snell & Ephraim Fobes, out of a Certain Tract of Province Land, adjoining to Dorchester, Contained in a platt Given in by Coll: Sam^ll Thaxter & Coll: William Dudley, & which is referred to in the above report. [*Passed July 1.*

CHAPTER 85.

ORDER ALLOWING £42. 8. 7 TO BENJ^A GIBSON.

Legislative Records of the Council, xi., 587.

House Journal, p. 61. *Ante*, p. 215, chap. 161.

AN ACCOMPT presented by Benj^a Gibson of Wages due to his Son Benj^a Gibson Junr Dec^d for his Service as Chaplain of the Forces Eastward, from August 31st 1722 to March 16th 1723, Amo^t to the Sum of £42. 8. 7.

Read and

Ordered[1] that the Sum of Forty two pounds, Eight Shillings & Seven pence, be allowed & paid out of the publick Treasury to Mr Benj^a Gibson the Accomptant in full Satisfaction for his Sons officiating as Chaplain of the Forces Eastward. [*Passed July 1.*

CHAPTER 86.

ORDER ALLOWING £2 TO JN^O YOUNG.

Legislative Records of the Council, xi., 587.

House Journal, p. 60.

A PETITION of John Young, Praying an allowance for money he Expended, on his Sickness, while in the Service Eastward

Read &

Ordered[1] that the Sum of Two pounds be allowed & paid out of the publick Treasury to John Younge the petitioner, in answer to his petition. [*Passed July 1.*

CHAPTER 87.

ORDER ALLOWING £46. 1 TO DR EBENEZER ALLEN.

Legislative Records of the Council, xi., 587.

House Journal, p. 61.

AN ACCOMPT of Ebenezer Allen one of the Surgeons of the Forces Eastward, of Sundry Disbursments, & Cash paid two Accts: of Dr Joseph Peirce, Amo^t to the Sum of £46. 1 .

Read &

Order'd[1] that the Sum of Forty Six pounds one Shilling be allowed & paid out of the publick Treasury, to Dr Ebenezer Allen in full discharge of this Accompt. [*Passed July 1.*

CHAPTER 88.

ORDER ALLOWING £152. 4. 9 TO DISCHARGE DR EBENEZER ALLENS 2^D ACC^T.

Legislative Records of the Council, xi., 587.

House Journal, p. 61.

AN ACCOMPT presented by Dr Ebenezer Allen, of his Service, as Surgeon of the Forces Eastward (with Medicines) from June 28th 1722 to June 20th 1723 and the Service of Benj^a Hill his Assistant from July 1st 1722 to June 20th 1723, Amo^t to the Sum of £178. 4. 10.

Read &

Ordered,[1] that the Sum of one hundred Fifty two pounds Fourteen Shillings & Nine[2] pence, be allowed & paid out of the publick Treasury, to Dr Ebenezer Allen, in full discharge of the within Accompt. [*Passed July 1.*

[1] The House Journal reads, "*Resolved.*"
[2] The House Journal reads, £152. 14. 2.

CHAPTER 89.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CP^T JOHN SHIPLEY & COMPANY.

A Muster Roll of the Company in his Majesties Service Eastward under the Command of Cp^t John Shipley, Containing an Acc^t of Wages, due to them for their Service from Decr 11th 1722 to, June 24th 1723, Amo^t to the Sum, of £597. 18. 7.

Legislative Records of the Council, xi., 587.

House Journal, p. 63.

[Read, Accepted And]

Resolved, That the Sum of Five hundred ninety Six pounds, two Shillings & Ten pence be allowed & paid out of the publick Treasury to the officers and Soldiers born on the within Roll, in full discharge of their Wages. [*Passed July 1.*

CHAPTER 90.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF MAJ^R SAM^LL MOODEY & COMP^A.

A Muster Roll of the Company in his Majesties Service under the Comm^d of Maj^r Samuel Moodey, Containing an Acc^t of Wages due to them, for their Service Eastward, from Novr 21st 1722, to Febr^y 3^d 1722, Amo^t to the Sum of £301. 16. 4.

Legislative Records of the Council, xi., 588.

House Journal, p. 63.

[Read, Accepted and]

Resolved, that ye Sum of Two Hundred & Ninety Five pounds, Sixteen Shillings & Four pence, be allowed & paid out of the publick Treasury to the officers & Soldiers born on the within Roll to whom the Same is due (According to the Report thereon) in full discharge thereof. [*Passed July 1.*

CHAPTER 91.

RESOLVE ALLOWING £3. 9 TO JOS: MARION.

An Accompt presented by Joseph Marion of Writing done for the publick to this time, amo^t to the Sum of Three pounds Nine Shillings,.

Legislative Records of the Council, xi., 588.

House Journal, p. 65.

[Read, and]

Resolved, That the Sum of Three pounds & Nine Shillings be allowed & paid out of the publick Treasury to Joseph Marion, the Accomptant in full of the within Accompt. [*Passed July 1.*

CHAPTER 92.

ORDER ALLOWING £3. 15. 10 TO THO^S HOGG.

An Accompt presented by Thos Hogg of Nursing and attendance on Josiah Richardson a Soldier Sick at Arowsick together with Damage done to his Bedding, Amo^t to the Sum of £3. 15. 10. Read [accepted] and

Legislative Records of the Council, xi., 588.

House Journal, p. 62.

Ordered,[1] That the Sum of Three pounds Fifteen Shillings & ten pence, be allowed & paid out of the publick Treasury to Thomas Hogg the Accomptant in full discharge of the said Accp^t^. [*Passed July 1.*

CHAPTER 93.

RESOLVE ALLOWING £50 TO THO^S^ RICH.

Legislative Records of the Council, xi., 588.

House Journal, p. 62. Province Laws, ix., 261, chap. 80; 618, chap. 82.

A PETITION of Thomas Rich of Salem Shewing that his Mother, Martha Carey (who with her Husband & his Father in Law Gyles Carey Suffered death in the time of the Witchcraft) had in her hands Sixty pounds of personall Estate, left by his Father, which She Carefully Kept for the petitioner & which was lost by her Suffering, and therefore praying this Court to make Some allowance to him in Consideration thereof as they have done to others in the Like Circumstances,

Read [Accepted] &

Resolv'd That the Sum of Fifty pounds, be allowed & paid out of the publick Treasury, to the petitioner Thomas Rich in full Satisfaction for the Losses he might have Sustained, as at Large Sett forth, in his petition. [*Passed July 1.*

CHAPTER 94.

ORDER CONFIRMING TITLE TO A PLATT OF LAND BELONGING TO JOHN CHANDLER &c^A^.

Legislative Records of the Council, xi., 590.

Legislative Records of the Council, xi., 559. House Journal, p. 65.

A PLATT presented by John Chandler of Andover of two hundred Acres of Land granted by the General Court in the Year 1661 to Geórge Smith & laid out to him on the North Side of Merrimeck River, at the Head of Long pond, and the marks & Bounds now renewed at the desire of the Said John Chandler, by Samuel Danforth Surveyour & two Chain men, under oath, Whereupon,

Ordered, that the Said two Hundred, Acres, as described in the, within plan agreeable to the Report of the Surveyour & Chain men under oath, and herewith Exhibited, be and hereby is Confirmed unto the petitioner John Chandler, & the other Heirs of Thomas Chandler dec^d^ in full Satisfaction of the Grant made to the aforenamed George Smith, of Two hundred Acres of Land Anno 1661. [*Passed July 2.*

CHAPTER 95.

RESOLVE ALLOWING £5. 6 TO W^M^ GERMAIN.

Legislative Records of the Council, xi., 590.

House Journal, p. 67.

A PETITION of William Jermain, Shewing that Being in the Service Eastward, he was Visited with a Sore Sickness with which he lost the Sight of one of his Eyes, & was at Considerable Expence in Doctors & Medicines, & praying that his Charge may be reimbursed and that his Wages may be Continued to him, In Compassion to himself & Family

[1] The House Journal reads, "*Resolved.*"

Read [Accepted] and

Ordered,[1] That the Sum of Five pounds Six Shillings be allowed & paid out of the publick Treasury to the petitioner, William Germain, for the Charges he has been at about his Eye, & further that he receive the pay of this Governm^t as a Soldier to this time. [*Passed July 2.*

CHAPTER 96.

ORDER ON THE MEMORIAL OF W^M PAYNE ESQ^R PRAYING FOR A NEW TRIAL AND STAY OF EXECUTION.

A Memorial of William Payne Esqr late Clerk of the House of Representatives praying that he may be allowed a new Trial at the Inferiour Court of Common pleas at Plimouth of an Action, Commenced against him by Cp^t John Alden on acc^t of a Warrant of Distress, Issued by the petitioner ags^t the Said John Alden by order of the House & in which Action Judgment went against him, by default and likewise that Execution on the S^d Judgment may be Stopped & Suspended in the meantime.

Legislative Records of the Council, xi., 591.

House Journal, p. 67.

Read &

Ordered that the prayer of the memorial be granted & that the Memorialist have Leave to bring in a Bill Accordingly. [*Passed July 2.*

CHAPTER 97

RESOLVE FOR EMITTING £20,000 IN BILLS OF CREDIT ON THIS PROVINCE AND PROVIDING SECURITY.

Pursuant to the directions in the Royal Charter in that Clause or paragraph, Impowering the General Court to Impose and Levy proportionable Assessments, Rates & Taxes.

Legislative Records of the Council, xi., 591.

Resolved, That the Treasurer be and hereby is directed, to Issue forth & Emitt, the Sum of Twenty Thous^d pounds in Bills of Credit on this Province, for the Necessary defence, & Support of the Government & the protection and preservation of the Inhabitants thereof, to be Issued & dispos^d of by Warrant under the Hand of the Govr or Commander in Cheif for the time being, with the Advice & Consent of the Council, all which Sum Shall be applied for the Uses Intents & purposes in this Act, hereafter Expressed; Viz^t

House Journal, p. 67. Province Laws, i., 16.

For the, Payment of all Grants, Premiums, & Stipends Established by Law for ye defreying & paying the Charges of Castle William, & other Forts & Garrisons, Transports, Muster Rolls of Soldiers & Sailors allowances & all other Accompts of Charge already made or pass'd, or which Shall be made or pass'd on for payment, by this Court; and the S^d Bills, Shall pass out of the Treasury, at the Valne therein Expressed, Equivalent to Money and Shall be so taken & accepted in all publick payments And that the duties of Impost & Excise, Shall be a fund and Security, for the Repayment & drawing in the Said Bills into ye Treasury again, So far as that will Reach.

And as as[2] a further Fund & Security for the Same,

Resolved, That there be and hereby is granted to His Most Exellent Majesty, for the Ends & Uses aforesaid & for no other Ends &

[1] The House Journal reads, "*Resolved.*"
[2] *Sic.*

uses whatsoever, a Tax of Three Thous'd pounds, to be Levied upon Polls & Estates, both Reall & personall within this Province, according to Such Rules & in Such proportion upon the Several Towns, & districts within the Same, as Shall be agreed on, & ordered by the great & General Court, or Assembly of this Province at their Session in May One Thousand Seven Hundr^d & Twenty Five, & paid into the Treasury, on or before, the last day of Decr next after, And that the Further Sum of Three Thousand pounds, be Levied upon Polls & Estates, both Reall & Personall, within this Province, according to Such Rules, & in Such Proportion, upon the Severall Towns & districts, within the Same, as Shall be agreed on & ordered, by the Great and Generall Court, or Assembly, of this Province, at their Session in May one Thousand Seven Hundred & Twenty Six & paid into the Treasury, on or before the last day of Decr next after

And that the Further Sum of Fourteen Thousand pounds, being the Remainder of the aforesaid Twenty Thous^d pounds, be Levied upon Polls & Estates, both Reall & personall within this Province, according to Such Rules & in Such proportion, upon the Several Towns & districts within the Same, as Shall be agreed on & ordered, by the Great and General Court or Assembly of this Province, at their Session in May one Thous'd Seven hundred & Twenty Seven and paid into the publick Treasury, on or before, the last day of Decr next after. [*Passed July* 2.

CHAPTER 98.

RESOLVE ALLOWING £300 TO HIS HONOUR THE LIEU^T GOV^R.

Legislative Records of the Council, xi., 593.

House Journal, p. 70.

Resolved, That the Sum of Three Hundred pounds, be allowed & paid out of the publick Treasury, to His Honour William Dummer Esqr Lt Govr and Commander in Cheif of this his Majesties Province, for his Support in Managing the affairs, of the Government [*Passed July* 2.

CHAPTER 99.

RESOLVE ALLOWING £500 TO Y^E JUSTICES OF Y^E SUPERIOUR COURT.

Legislative Records of the Council, xi., 594.

House Journal, p. 71.

Resolved, That the Sum of Five hundred pounds be allowed, & paid out of the publick Treasury, to the Honb^le the Judges of the Superiour Court of Judicature in proportion to the Courts, they attended, the Year past. [*Passed July* 2.

CHAPTER 100.

RESOLVE ALLOWING £250 TO Y^E TREASURER.

Legislative Records of the Council, xi., 594.

House Journal, p. 71.

Resolved, that the Sum of Two hundred & Fifty pounds, be allowed & paid out of ye publick Treasury to Jeremiah Allen Esqr Treasurer of this Province, for his Service the Year past in the Treasury & Supplying the Garrisons. [*Passed July* 2.

CHAPTER 101.

RESOLVE ALLOWING £20 TO Y^E CLERK OF Y^E HOUSE.

In the House of Representatives,
Resolved that the Sum of Twenty pounds be allowed & paid out of the publick Treasury to John Wainwright Esqr, Clerk of this, House in part for his Service, the Year Curr^t
In Council Read & Concurred. [*Passed July 2.*

Legislative Records of the Council, xi., 594.
House Journal, p. 71.

CHAPTER 102.

RESOLVE ALLOWING £25 TO JOHN FLAGG.

Resolved That ye Sum of Twenty Five pounds, be allowed & paid out of the publick Treasury to Mr John Flagg Door keeper to His Honour the Lt Govr & this Court for half a Years Service Ending the Twenty Sixth of June Next. [*Passed July 2.*

Legislative Records of the Council, xi., 594.
House Journal, p. 71.

CHAPTER 103.

RESOLVE ALLOWING £5 TO MR JOSEPH SEWALL.

In the House of Representatives
Resolved that ye Sum of Five pounds be allowed & paid out of the publick Treasury to Mr Ezekiel Lewis to be delivered to ye Revr^d Mr Joseph Sewall with ye thanks of this House for his Service to them;
In Council Read & Concurred. [*Passed July 2.*

Legislative Records of the Council, xi., 594.
House Journal, p. 71.

CHAPTER 104.

RESOLVE ALLOWING £5 TO Y^E CHAPLAIN OF Y^E BOARD.

Resolved, That the Sum of Five pounds be allowed & paid out of the publick Treasury to Penn Townsend Esqr, to be delivered to the Revr^d Dr Cotton Mather, for his Service to the Honourable Board. [*Passed July 2.*

Legislative Records of the Council, xi., 594.
House Journal, p. 71.

CHAPTER 105.

RESOLVE ALLOWING £12. 3. 11 TO DANIEL BAG.

An Accompt presented by Mr Daniel Bagg of his time & Expence, in a Journey to Albany by order of the Govr^mt as Express Amo^t to the Sum of £12. 3. 11.
[Read, And]
Resolved That the Sum of Twelve pounds three Shillings & Eleven pence be allowed & paid out of the publick Treasury to Mr Daniel Bagg in full discharge of this Accompt. [*Passed July 2.*

Legislative Records of the Council, xi., 594.
House Journal, p. 69.

CHAPTER 106.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CPT FRANCIS BARKER'S COMPA.

Legislative Records of the Council, xi., 595.

House Journal, pp. 69, 70.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Cpt Francis Barker, Containing an Accompt of Wages, due to them for their Service, from Novr 7th 1722 to June 25th 1725, Amot to the Sum of £791. 4. 11.

[Read, Accepted And]

Resolved That the Sum of Seven Hundred Ninety one pounds Four Shillings & Eleven pence be allowed & paid out of the publick Treasury to the officers & Soldiers born on this Roll to whom the Same is Respectively due, in full discharge thereof. [*Passed July 2.*

CHAPTER 107.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CPT JOHN RICHMONDS COMPA.

Legislative Records of the Council, xi., 595.

House Journal, p. 70.

A MUSTER ROLL of the Company in his Majesties Service Eastward, under the Command of Cpt John Richmond, Containing an Acct of Wages due to them, for their sd Service from Septr 21st to Jany 16th 1722, Amot to the Sum of £195. 17. 1.

[Read, Accepted And]

Resolved That the Sum of one Hundred Seventy Four pounds, thirteen Shillings, & Nine pence, be allowed & paid out of the publick Treasury to the officers & Soldiers born on the within Muster Roll, to whom the Same is respectively due, (agreeable to the Report thereon), in full discharge of the wages thereof. [*Passed July 2.*

CHAPTER 108.

ORDER ALLOWING £5. 11. 8 TO RICHARD HALL.

Legislative Records of the Council, xi., 595.

House Journal, p. 70.

AN ACCOMPT presented, By Richard Hall, Taverner, of the Charge of Several Committees of the Courts amot to the Sum of £5. 11. 8.

[Read And]

Ordered[1] That the Sum of Five pounds Eleven Shillings & Eight pence be allowed & paid out of the publick Treasury to Mr Richd Hall, in full of the above Accompt. [*Passed July 2.*

CHAPTER 109.

ORDER ALLOWING £44. 9 TO CPT FRANCIS BARKER.

Legislative Records of the Council, xi., 595.

A MEMORIAL of Cpt Francis Barker, Shewing that the Sum of Forty Four pounds Nine Shillings Charged in his Muster Roll, made up last Winter for Slops delivered to the men, were for the Province, Stores

[1] The House Journal reads, "*Resolved.*"

(or the greatest part thereof) & what he Rec^d of Mr Gooch the Commissary & paid him for, as he can make appear by the S^d Goochs Reciepts and, therefore praying that he may have an order for recieving the S^d Sum out of the publick Treasury, & likewise that he may be Allowed the Sum of Fourteen pounds for his Sons Wages in the Said Roll.

House Journal, p. 59 (Jan., 1722); p. 69. *Ante*, p. 315, chap. 73.

Read &

Ordered[1] That the Sum of Forty Four pounds Nine Shillings be allowed and paid out of the publick Treasury to Cp^t Francis Barker, in full Satisfaction for the like Value Charged in His Roll the last Session, & deducted from the Wages thereof, & in answer to this Memorial in full. [*Passed July 2.*

CHAPTER 110.

RESOLVE ALLOWING £12. 11. 3 TO MOSES MARKHAM & OTHERS.

A Memorial of Moses Markham, in behalf of himself and Divers others, who have been put to Considerable Expences by Sickness they have had, during their being in the Service Eastward, praying that the Accompt of their disbursments hereto annexed may be allowed & paid to them out of the publick Treasury.

Legislative Records of the Council, xi., 596.

Read &

Resolved, That ye Sum of Twelve pounds Eleven Shillings & three pence be allow^d and paid out of the publick Treasury to Moses Markham and the other persons, mentioned in the Annexed Acc^t accord^g as the Same Stands Entered against their Names, in full discharge thereof. [*Passed July 2.*[2]

CHAPTER 111.

ORDER ALLOWING £26. 11 TO DAVID MELVIL.

A Petition of David Melvill, Keeper of his Majesties Goal at Boston, Praying that he may be allowed out of the publick Treasury his Charge in Subsisting John Bly Maurise Fitz Gerald, & Martha Edwards, Prisoners Committed to his Majesties S^d Goal for Divers Crimes & offences and who have nothing to pay the Said Charges withall and likewise the Charge of Subsisting, nine Indian prisoners, According to the Acc^t hereunto Annexed.

Legislative Records of the Council, xi., 596.

House Journal, p. 69.

Read &

Ordered[1] That the Sum of Twenty Six pounds, Eleven Shillings, be allowed & paid out of the publick Treasury to David Melvil the Accomptant in full discharge of this Accompt. [*Passed July 2.*

CHAPTER 112.

ORDER ALLOWING £3. 10 ON ACCO^T OF CHARGE IN RUNNING Y^E LINE ON PROVINCE LAND NEAR DORCHESTER.

An Accompt presented by Samuel Thaxter Esqr of the time & Expences of the Committee, in Running the Line, between the Province Land, & the Land granted, to Dorchester, amo^t to the Sum of £3. 10/.

Legislative Records of the Council, xi., 596.

[1] The House Journal reads, "*Resolved.*"
[2] Not found in the House Journal.

House Journal, p. 66. *Ante*, p. 319, chap. 84.

Read &

Ordered[1] that the Sum of Three pounds & ten Shillings be allowed & paid out of the publick Treasury to Samuel Thaxter Esqr for the use of the Said Committee in full discharge of this Accompt. [*Passed July 2.*

CHAPTER 113.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP ENDEAVOUR JACOB PARKER M^R.

Legislative Records of the Council, xi., 597.

House Journal, p. 33.

A MUSTER ROLL of the Sloop Endeavour, (a Transport in the Service of this Province,) Jacob Parker Master, Contain^g an Accompt of Wages due to the S^d Master & Company & for the Hire of the S^d Sloop from Jany 9th 1722 to June 3^d 1723, Amo^t to the Sum of £148.

[Read, Accepted And]

Resolved that the Sum of one hundred & Forty Eight pounds be allowed & paid out of the publick Treasury, to the Said Jacob Parker to be by him paid to the officers & Sailors & owners of the Said Sloop Endeavour, to whom the Same is Respectively due in full discharge of the Hire & Wages. [*Passed July 2.*

CHAPTER 114.

RESOLVE ALLOWING £10. 1. 8 TO NATHAN HALE.

Legislative Records of the Council, xi., 597.

House Journal, p. 50.

AN ACCOMPT presented by Nathan Hale of Medicines & attendance on James Tyler a Soldier under the Command of the late Cp^t John Wainwright, (whom he Cured of the Leprosy) amo^t to the Sum of £10. 1. 8.

[Read, Accepted And]

Resolved That the Sum of Ten pounds one Shilling & Eight pence[2] be allowed & paid out of the publick Treasury to Nathan Hale the accomptant in full discharge of this Accompt. [*Passed July 2.*

[1] The House Journal reads, "*Resolved.*"
[2] The House Journal reads, £10. 1. 5.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE SEVENTH DAY OF AUGUST, A.D. 1723.

CHAPTER 115.

VOTE ON CO. TREAS^R OF MIDSEX HIS ACCO^T.

AN ACCOMPT presented by Mr Daniel Russell Treasurer of the County of Middlesex from May 1722. to June 1723, having been inspected by the Court of General Sessions of the Peace for the said County, and by them allow'd & approv'd of, Excepting some Articles

Read & Allow'd with the Subduction of the two Articles noted on the Audit, and an Article of twenty four Shillings paid Samuel Long by order of the Superior Court, for that the Superior Court are not impower'd to make Draughts upon the County Treasurer. The Court of General Sessions of the Peace being adjourn'd by this Court in May, which is the Reason that this Account was not then presented. [*Passed August 8.*

Legislative Records of the Council, xii., 2.

House Journal, p. 3. *Ante*, p. 289, chap. 8.

CHAPTER 116.

ORDER OF NOTICE ON BAR^T JACKSONS PETITION COMPLAINING OF A JUDGMENT.

A PETITION of Bartholemew Jackson of Marblehead Shewing that he was sued at the Inferior Court of Common pleas for the County of Essex, by Nicholas & Mary Andrews in an Action of Trespass and Ejectm^t for possession of a peice of Land, Messuage &c^a At wch Suit Judgment went for the plaintifs, from which the petitioner appeald to the next Superior Court for said County, but upon the Promises of the s^d Nicholas & Mary Andrews to give him a quit Claim, he neglected to file his Reasons of Appeal in due Season, so that the said Andrews upon his Complaint to the Superior Court held in May last, obtain'd a confirmation of the said Judgment with additional Costs, And the Petitioner being without Remedy in the Law, therefore praying that by a private Act he may be enabled to file his Reasons of Appeal to the next Superior Court, and that the Judges may be directed & impower'd to admit him to a Trial thereon.

Read &

Ordered that the petition^rs serve the adverse Parties with a Copy of this Petition that so they may shew cause (if any they have) on the 14th of this ins^t August why the prayer of the Petition shou'd not be granted. [*Passed August 9.*

Legislative Records of the Council, xii., 4.

Legislative Records of the Council, xii., 12. House Journal, p. 5. Province Laws, vi., 149, No. 70; 154, No. 75.

CHAPTER 117.

ORDER APPOINTING A COMMITTEE IN REGARD TO THE MANUFACTURE OF LINEN.

Legislative Records of the Council, xii., 4.

House Journal, p. 5.

A MEMORIAL of Francis Thrasher of Boston Clothier containing several proposals for the encouragment of the linnen Manufacture within this Province

In the House of Represen^{tves} Read &

Ordered that Mr Cooke Mr Dudley Cp^{t} Epes & Mr Remington with such as the Honble Board shall appoint, be a Committee to consider of this Memorial and report what they think proper for this Court to act for the better encouragement of the linnen Manufacture within this Province

In Council Read & concur'd &

Order'd that Thomas Fitch Edmund Quiney & Adam Winthrop Esq^{rs} be join'd to the Committee of the House on the Affair above. [*Passed August 9.*

CHAPTER 118.

ORDER ON PETITION OF ISAAC LITTLE ESQ^{R} IN REGARD TO A NEW TRIAL WITH STAY OF EXECUTION.

Legislative Records of the Council, xii., 5.

House Journal, p. 4.
Ante, p. 316, chap. 76.

A MEMORIAL of Isaac Little Esqr Shewing that whereas this Court did, in answer to his Petition to have a new Trial at the Superior Court next to be holden for the County of Plymouth of an Action wherein Joseph Mallison was a Party, Order, that the s^{d} Mallison shou'd be served with a Copy of the s^{d} Petition that so he might give in his Answer at this present Session, The Memorialist by reason of Sickness was uncapable of serving the s^{d} Mallison with a Copy of the Petition, and therefore praying that the affair may be continued to the fall Session

Read, & in answer to this Memor^{l}

Ordered, That the Memorialist serve the s^{d} Joseph Mallison with a Copy of his Petition [1] in May last at his Cost & Charge, that so he may give in his Reasons (if any he have) on the first Fryday of the next Fall Session, Why the Prayer thereof should not be granted, and that Execution of the Judgment of the Super^{r} Court be stay'd in the mean time, Provided the Petitioner serve the Copy fourteen Days before the sitting of the s^{d} Court; [2] any Law Usage or Custom to the Contrary notwithstanding. [*Passed August 9.*

CHAPTER 119.

VOTE ACCEPTING THE REPORT ON MR CRAIGHEADS AFFAIR.

Legislative Records of the Council, xii., 3, 5.

House Journal, p. 4.

THE FOLLOWING REPORT was made by the Court of General Sessions of the Peace for the County of Bristol on Mr Thos Craigheads Petition viz

That whereas the Honble the Great & General Court at their last

[1] The House Journal inserts, "to this Court."
[2] The words "Provided . . . Court" are not in the House Journal.

Session in May 1723. did order the Court of General Sessions of the Peace for the County of Bristol on the second Tuesday of July last past to enquire into the Affair between the Town of Freetown and Mr Thos Craighead relating to his being kept out of his Salary by the sd Town, and to make Report of what they find due to him at the next Session of this Great & General Court; And the Select Men of the sd Town, and the sd Mr Craighead appear'd in Court, and the Affair being fully heard, the Court find Mr Craighead has a Right to sixty five pounds ꝑ Annum from the Town of Freetown from the 9th of Septemb 1717. to the 9th of March 1720. being three Years & an half from wch time (viz from the 9th of March 1720) he dismiss'd himself from the work of the Ministry in said Town, by a writing under his hand Dated the 14th Day of October preceeding the aforesaid 9th of March, The whole Sum amounting to two hundred & twenty seven pounds & ten Shillings, for which there are rates made and already committed (with Warrants) to the respective Officers for collecting the same, himself being made the Receiver, of which said Sum there has been paid to him by sundry persons Inhabitants of said Town, as their parts of said Rates, the Sum of Seventy one Pounds nineteen Shillings & five pence as by sd Craigheads Acct to this Court deliver'd doth appear; so that upon the whole there remains due from the Town of Freetown the sum of One hundred fifty five Pounds ten shillings & seven pence to the Revd Mr Thos Craighead for his Work of the Ministry in said Town.

Ante, p. 305, chap. 42.

Done by order of the Justices in General Quarter Sessions assembled the Second Tuesday in July 1723.

Sign'd EBENR BRENTON Cler

Read &
Order'd that this Report be accepted. [*Passed August 10.*

CHAPTER 120.

ORDER CONFIRMING A PLAN OF 300 ACRES OF LAND TO THE HEIRS OF JOSEPH HOW.

A PLAN of three hundred Acres of Land originally granted to William Habberfeild, lying Northerly of Brookfeild, westerly of Brantree six thousand Acres & Rutland, at a place called Wolf Pitt Plain adjoining to Ware River, survey'd by Cpt Wm Ward

Legislative Records of the Council, xii., 5.

House Journal, p. 6.

A plan of three hundred Acres of Land petition'd for by Thomas Amsden & Jeremiah Barstow for themselves & others the Children & Heirs of Joseph How some time of Marlboro' in the County of Middlesex decd (as entred the seventh of June last) granted to Mr William Habberfeild Anno 1698 (as is therein particularly delineated & described) being presented

Ante, p. 290, chap. 10.

Wherefore

Ordered that the sd three hundred Acres as described in the within Plan, agreable to the Report of the Surveyor & Chain-Men under Oath (& herewith exhibited) be & hereby is confirm'd to the Heirs and proper Representves of the sd Joseph How, as he is Assignee of William Habberfeild, Provided that there be no more than three hundred Acres within the Limits described in the Plan and that it infringes not on any former Grant. [*Passed August 10.*

CHAPTER 121.

VOTE FOR MAKING A FENCE ON BOSTON NECK.

Legislative Records of the Council, xii., 6.

House Journal, p. 10.

Voted that a good Fence (with one Rail) about four feet high, shall be built & finish'd on both sides of ye Way on Boston Neck at the Province Charge, and the County of Suffolk shall be and hereby is oblig'd to keep up & maintain such a Fence effectually for the future; And that Elisha Cook, William Dudley and William Payne Esq^rs^, have the Care to see the said Fence well built. [*Passed August 10.*

CHAPTER 122.

RESOLVE ALLOWING £19 TO SAM^L^ DOWSE.

Legislative Records of the Council, xii., 6.

House Journal, p. 9.

A MEMORIAL of Samuel Dowse praying that he may have some proper Allowance for his Service as Commissary of the Forces Eastward under the Command of Coll^o^ Walton in the Year 1722.

Read &

Resolved that the Sum of nineteen Pounds be allow'd & paid out of the public Treasury to Mr Samuel Dowse in full of his Service in delivering out Stores &c^a^ to ye Forces Eastward. [*Passed August 12.*

CHAPTER 123.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CP^T^ ROB^T^ TEMPLE'S COMP^A^.

Legislative Records of the Council, xii., 7.

House Journal, p. 12.

A MUSTER ROLL of the Company in His Maj^tys^ Service late under the Command of Capt Robert Temple, containing an Accompt of Wages due to the s^d^ Comp^a^ for their Service from Decem^b^ 11. 1722. to April 11. 1723. amounting to the Sum of £415. 13. 6.

[Read, Accepted And]

Resolved That the Sum of four Hundred & eleven Pounds eighteen Shillings & six pence be allow'd and paid out of the public Treasury to the Officers & Soldiers born on the within Roll in full Discharge of the same. [*Passed August 13.*

CHAPTER 124.

Legislative Records of the Council, xii., 7.

Mass. Archives, xxxi., 116. Legislative Records of the Council, xi., 540, 548, 551, 568; xii., 2, 7. House Journal, pp. 26, 29, 30, 49 (June); pp. 3, 15. *Ante*, p. 287, chap. 1.

VOTE FOR SENDING FOR COL^O^ SCHUYLER.

Voted, That an Express be dispatch'd to Albany to desire the Honble Col^o^ Peter Schuyler or Col^o^ John Schuyler wou'd please to make a Visit to this Governm^t^ in order to confer with them upon the present Juncture of Affairs touching the Maquas & Eastern Indians. [*Passed August 13.*

CHAPTER 125.

ORDER ON JOHN BUSHELLS PETITION FOR LICENSE AS INNHOLDER.

A PETITION of John Bushell of Boston Shewing that he has for some time been favour'd with a licence to retail strong Drink within and without Doors, and this Year having obtain'd the Approbation of the Select Men of the s^d^ Town for his continuance, The Justices of the s^d^ County were pleas'd to dissallow him, and therefore praying that this Court would grant him a Licence for an Innholder

Legislative Records of the Council, xii., 8.

House Journal, p. 16.

Province Laws, ii., 203, chap. 1.

Read &

Ordered that it be recommended to the Justices of the County of Suffolk at their next General Sessions of the Peace to take the Subject Matter of this Petition under Consideration, and that they be & hereby are impower'd (if they see Cause) to grant a Licence to the Petitioner for a Retailer within & without Doors; The Time for granting Licences for this present Year being elapsed notwithstanding. [*Passed August 13.*

CHAPTER 126.

ORDER ON GEO: BRAMHALLS PETITION FOR LICENSE AS INNHOLDER.

A PETITION of George Bramhall of Hingham, Shewing that there is great need of a Tavern in the s^d^ Town, and that the Select Men recommended him to the Justices for the County of Suffolk as a fit person to have a Licence as a Taverner, but they were pleas'd at their last general Sessions to dissallow him; and therefore praying that this Court won'd recommend his case to the s^d^ Justices, and they may be impower'd to grant him a Licence at their next General Sessions

Legislative Records of the Council, xii., 8.

House Journal, p. 11.

Province Laws, ii., 203, chap. 1.

Read &

Ordered that it be recommended to the Justices of the Peace for the County of Suffolk at their next General Sessions to take the Subject Matter of this Petition under Consideration, and that they be & hereby are impower'd (if they see Cause) to grant the petitioner a Licence to be a Taverner, the time for granting Licences by Law appointed being elapsed notwithstanding. [*Passed August 13.*

CHAPTER 127.

ORDER ON JOHN HOBS & MARY TOMLINS PETITION FOR LICENSE AS INNHOLDERS.

A PETITION of John Hobbs & Mary Tomlin, Shewing that the Justices of the County of Suffolk & the Select Men of the Town of Boston have granted the Petitioners Licences for retailing strong Drink for this present Year, but (thro' misinformation) they have lapsed the Time allow'd by Law for giving Recognizance, and therefore praying that one or more of the Justices of the said County may be impower'd to take their Recognizances for their retailing.

Legislative Records of the Council, xii., 10.

House Journal, p. 17.

Province Laws, ii., 203, chap. 1.

Read &

Ordered that it shall and may be lawful for one or more of the Justices for the County of Suffolk with the Clerk of the Court of General

Sessions of the peace to take Recognizances severally of the Petitioners, that so they may be allow'd to retail as formerly, the time by Law appointed for taking Recognizances on Licences granted for this present Year being elapsed notwithstanding. [*Passed August 14.*

CHAPTER 128.

RESOLVE ALLOWING £10. 0. 6 TO JOHN DORREL.

Legislative Records of the Council, xii., 10.

House Journal, p. 19.

AN ACCOMPT presented by John Dorrell of his Time and Expence in going Express by order of the Governm^t^ to Newport Salem & York at several Times, amounting to the Sum of £10. 0. 6.

Read [Accepted] &

Resolv'd that the Sum of Ten pounds & six pence be allow'd & paid out of the public Treasury to John Dorrell the Accomptant in full Discharge of the within Accompt. [*Passed August 14.*

CHAPTER 129.

RESOLVE ALLOWING £9. 1. 11 TO BAR^T^ GREEN.

Legislative Records of the Council, xii., 10.

House Journal, p. 11.

AN ACCOMPT presented by Bartholemew Green of the Charge of printing Mr Colmans Election Sermon amounting to £9. 1. 11.

Read &

Resolv'd that the Sum of Nine pounds one Shilling & eleven pence be allow'd & paid out of the public Treasury to Bartholemew Green the Accomptant in full Discharge of this Accompt. [*Passed August 14.*

CHAPTER 130.

RESOLVE ALLOWING £2. 17 TO W^M^ HALL.

Legislative Records of the Council, xii., 10.

House Journal, pp. 18, 19.

AN ACCOMPT of William Hall of the Charge of billeting Soldiers impress'd in the County of Bristol in August 1722. amounting to £2. 17.

[Read Accepted And]

Resolv'd That the Sum of Two pounds & seventeen Shillings be allow'd & paid out of the public Treasury to William Hall the Accomptant in full Discharge of the within Accompt. [*Passed August 14.*

CHAPTER 131.

RESOLVE ALLOWING £100 TO JOHN & ZECHARIAH HUBBARD EXEC^RS^ OF CAPT. TUTHILL.

Legislative Records of the Council, xii., 11.

House Journal, p. 18.
Ante, p. 146, chap. 120.

A PETITION of John & Zachariah Hubbard Executors of the last Will & Testam^t^ of Cp^t^ Zechariah Tuthil late Victualler of the Garrison at his Majesties Castle William, Praying that they may be allow'd out of the public Treasury the Sum of three hundred thirty eight Pounds &c^a^ Which (by Accompts) he was in advance above the Sums allow'd him for victualling the said Garrison

Read &

Resolved that the Sum of one hundred pounds be allow'd & paid out of the public Treasury to John & Zechariah Hubbard Exec^rs of the last Will & Testament of Cp^t Zechariah Tuthil dec^d in full Discharge for the s^d Tuthils subsisting the Soldiers at his Majesties Castle William. [*Passed August 15.*

CHAPTER 132.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE SCOUT UNDER COLL^o ELEAZ^R TYNG.

A MUSTER ROLL of the Scout in the County of Middlesex late under the Direction of Col^o Eleazer Tyng containing an Acc^t of Wages due to them for their Service from June 12th 1723. to July 9th following amounting to the Sum of £23. 8 and £11 for their Subsistence

Legislative Records of the Council, xii., 11.

House Journal, p. 20.

[Read accepted and]

Resolv'd that the Sum of Twenty three pounds & eight Shillings be allow'd & paid out of the public Treasury to the Officers & Soldiers borne on the within Roll in full discharge of the Wages, and that the further Sum of eleven pounds be allow'd & paid out of the public Treasury to Coll^o Eleazer Tyng to be by him repaid to the person or persons that have billeted or subsisted any of ye Men borne on the within Roll in full Discharge thereof. [*Passed August 15.*

CHAPTER 133.

RESOLVE ALLOWING £13 TO JOHN GODDARD.

A PETITION of John Goddard praying that he may be allow'd his Wages in the Muster Roll of Cp^t Johnson Harmon stop'd in the Treasury upon a Suggestion of his being absent from his Post the greatest part of the Time, he having diligently & faithfully attended the Service as appears by the inclos'd Certificates

Legislative Records of the Council, xii., 11.

House Journal, p. 76 (Jan., 1722); p. 19. *Ante*, p. 261, chap. 304.

Read [Accepted] &

Resolv'd That the Sum of Thirteen pounds be allow'd & paid out of the public Treasury to the Petitioner Jno Goddard in full of his Wages stop'd in the Treasury & in answer to his petition. [*Passed August 15.*

CHAPTER 134.

RESOLVE ALLOWING £11. 11. 6 TO JOSH^A UNDERWOOD.

A PETITION of Joshua Underwood praying that he may be allowed for going Express last Winter so far as Brunswick to summon several Witnesses to attend the hearing of Complaints against Maj^r Moodey

Legislative Records of the Council, xii., 12.

Legislative Records of the Council, xi., 450. House Journal, p. 19. *Ante*, p. 236, chap. 221.

Read &

Resolv'd that the Sum of Eleven pounds eleven Shillings & six pence be allow'd & paid out of the public Treasury to Joshua Underwood the petitioner in full for going in the Service of this Governm^t Eastw^d & in answer to his petition. [*Passed August 15.*

CHAPTER 135.

RESOLVE ALLOWING 32/6 TO BENJA WOODBRIDGE.

Legislative Records of the Council, xii., 12.

House Journal, p. 20.

AN ACCOMPT of Benja Woodbridge of Billeting Soldiers at Newbury impress'd for his Majesties Service amounting to the Sum of £1. 12. 6.

[Read and]

Resolved that the Sum of thirty two Shillings & six pence be allow'd & paid out of the public Treasury to Benja Woodbridge the Accomptª in full discharge of the within Accot. [*Passed August 15.*

CHAPTER 136.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CPT DANL GOOKINS COMPA.

Legislative Records of the Council, xii., 12.

House Journal, p. 12.

A MUSTER ROLL of the Compª in his Majties Service under ye Command of Cpt Daniel Gookin containing an Acct of Wages due to them for their Service from Jan: 15. 1722. to June 23. 1723. amountg to the Sum of £415. 11. 7.

[Read Accepted And]

Resolv'd that the Sum of four hundred & thirteen pounds six shillings & seven pence be allow'd & paid out of the Public Treasury to the sd Daniel Gookin & the officers & Soldiers borne on the within Roll agreable to the Report of the Committee. [*Passed August 15.*

CHAPTER 137.

RESOLVE ALLOWING £3 TO BENJA STEBBINS.

Legislative Records of the Council, xii., 12.

House Journal, p. 23.

AN ACCOMPT of Benjª Stebbins for riding Express from Northampton

[Read, and]

Resolved that the Sum of Three pounds be allow'd & paid out of the public Treasury to Benjª Stebbins for himself & Horse for coming Express from West Hampshire & returning Home. [*Passed August 15.*

CHAPTER 138.

VOTE FOR ALLOWING THE SUBSISTENCE OF SERJT WM WHITES MEN.

Legislative Records of the Council, xii., 12.

House Journal, p. 22.
Ante, p. 257, chap. 288.

WHEREAS in the Muster Roll of the Men posted under the Command of Serjt William White at Haverhill there is no Subsistence charg'd. & consequently none paid which Roll containing forty nine Weeks in the whole after the Rate of five Shillings ꝑ Week makes the Sum of twelve pounds five Shillings

[Wherefore]

Resolv'd that the [sum] of twelve pounds five Shillings be allow'd & paid out of the public Treasury unto the sd Serjt William White (deducting what the Treasurer of the Province has supplied the Men with) to

be by him paid to the Person or Persons that have subsisted the Men contain'd in that Roll dated in Aug^st 1722. in full discharge of the Billeting the said Men. [*Passed August 15.*

CHAPTER 139.

RESOLVE ALLOWING 15SH. TO JOS: MAYNARD.

A PETITION of Joseph Maynard praying an allowance for Coming express from Malborough with Intelligence of ye Indians at Rutland Read &

Legislative Records of the Council, xii., 15.

Resolved that the Sum of fifteen Shillings be allow'd & paid out of the publick Treasury to Joseph Maynard the Petitioner, in full for his service above Mentiond. [*Passed August 16.*

Legislative Records of the Council, xii., 14. House Journal, p. 23.

CHAPTER 140.

RESOLVE ALLOWING £11. 8 TO SAM^L GOOKIN ESQ^R.

AN ACCO^T Presented by Samuel Gookin Esqr for his time & Expence in bringing Saml & Abel Chapin from Bristoll Amounting to £11. 8/. [Read, Accepted, And]

Legislative Records of the Council, xii., 15.

Resolved that the sum of Eleven Pounds & Eight Shillings, be allow'd & paid out of the Publick Treasury to the Accomptant Samuel Gookin in full Discharge of this accompt. [*Passed August 16.*

Legislative Records of the Council, xi., 593. House Journal, p. 68 (July); p. 24.

CHAPTER 141.

RESOLVE ALLOWING £3 TO JN^O HUGGINS.

AN ACCOMPT of John Huggins for Riding express from Springfield [Read and]

Legislative Records of the Council, xii., 16.

Resolved that the Sum of three pounds be allow'd & paid out of the Publick Treasury to John Huggins in full for his Coming Express as within Mention'd. [*Passed August 17.*

House Journal, p. 26.

CHAPTER 142.

RESOLVE ALLOWING £4. 10 TO THO^S WYRE.

A PETITION of Thomas Wyre a Soldier in the Service Eastw^d praying that he may be allow'd the Charge he has been at for his Sickness, during his being in the Service at Wells [Read and]

Legislative Records of the Council, xii., 16.

Resolved that the sum of Four pounds ten shillings, be allow'd & paid out of the Publick Treasury to the petitioner Thomas Wyer in full of his Charge for Docters & nursing in his sickness. [*Passed August 17.*

House Journal, p. 26.

CHAPTER 143.

RESOLVE FOR Y^E TREAS^R RECOVERING Y^E EXCISE MONY DUE IN THE COUNTY OF YORK.

Legislative Records of the Council, xii., 17.

House Journal, p. 28.

Resolved that Mr Treas^r Allen be directed to demand & Receive of Mr Joseph Curtis of Kittery as well as any other Person or Persons that have Receiv'd of Any Taverner, retailer &c^a in the County of York, any Excise, the Whole of what they have Received, and to take Effectual Care that the whole Dutys of Excise that have hetherto been Collected, be forthwith paid into the Publick treasury, And upon the said Joseph Curtis or any other Persons that may have Received any Excise as aforesaid failing Immediatly to pay the same and adjust their Accompts Mr Treasurer is hereby further Directed to prosecute all such Persons in the Law, and the Attorney Generall of this province is hereby Allso ordered, to be Assisting to Mr Treasu^r in the Management of that affair. [*Passed August 20.*

CHAPTER 144.

RESOLVE ALLOWING £3. 16 TO ZACH^A SYMMS.

Legislative Records of the Council, xii., 18.

Executive Records of the Council, vii., 511. House Journal, p. 27.

AN ACCOUNT of Zachariah Symms of Riding Express to Springfield[1]
[Read, Accepted And]
Resolved that the sum of Three pounds and Sixteen shillings be allow'd, & paid out of the Publick Treasury to the Accomptant Zach^a Symms to discharge the said accompt. [*Passed* August 20.*

CHAPTER 145.

Legislative Records of the Council, xii., 18.

Executive Records of the Council, vii., 511. House Journal, p. 26.

RESOLVE ALLOWING £3. 10 TO DISCHARGE ZACH^A SYMME'S 2^D ACCOMPT.

AN ACCOMPT of Zach^a Symms of Riding Express[2]
[Read, Accepted And]
Resolved that the Sum of Three pounds ten shillings be allow'd and paid out of the Publeck Treasury to the accomptant Zach^a Symms to Discharge the said Accompt. [*Passed August 20.*

CHAPTER 146.

RESOLVE ALLOWING £50 PER ANNUM TO DAN^L TUCKER.

Legislative Records of the Council, xii., 18.

House Journal, p. 30.

A PETITION of Daniel Tucker Praying that in Consideration of his being wounded through the Body in the service against the Indian Enemy by w^h he is utterly Disabled from doing any thing for his Reliefe, he may be Supported out of the Publick Treasury
[Read and]
Resolved that a Stipend of Fifty pounds per Annum be allow'd &

[1] The House Journal reads, "*Hatfield.*"
[2] The House Journal reads, "to *Rhode Island.*"

paid out of the Publick Treasury to Sergeant Daniel Tucker till the further order of this Court, he bearing his own Charge of Physick, Surgery[1] & Nursing. [*Passed August 20.*

CHAPTER 147.

RESOLVE ALLOWING £3. 10 TO JOHN DORRELL.

A PETITION of John Dorrell praying an allowance for publishing the acts of the Generall Assembly & proclamations for two years past.

Legislative Records of the Council, xii., 18.

Read &

Resolved that the sum of Three pounds & ten shillings, be allow'd & paid out of the publick Treasury to the petitioner John Dorrell in full of his Petition, he Satisfying the Drummer for his trouble. [*Passed August 20.*

House Journal, pp. 23, 27.

CHAPTER 148.

RESOLVE ALLOWING £3 TO COLL° SAM^L PATRIDGE.

AN ACCOMPT Presented by Col° Samuel Patridge of the Charge of Sending Scouts in the County of Hampshire amounting to £3.

Legislative Records of the Council, xii., 18.

[Read, and]

Resolved that the Sum of Three pounds be allow'd & paid out of the Publick Treasury to Coll° Samuel Patridge[2] to be by him paid to the Persons Inserted in this accompt in full for their service as above Express'd. [*Passed August 20.*

House Journal, p. 30.

CHAPTER 149.

ORDER ON Y^E PETITION OF NATICK FARMERS IN REGARD TO LOCATION OF A MEETING HOUSE.

A PETITION of Caleb Johnson in behalf of himself & the rest of the Farmers lately placed by an order of this Court to the Eastermost precinct in Sudburry, Shewing that the only Reason that Induc'd them to apply to the Generall Court, to be sett to the Said precinct, was a Vote of the Inhabitants of said town, and an agreement under the Hands of the Principal persons of ye said Precinct, That the Meeting House Should be removed more Southerly, W^ch would very much accomodate the petitioners, That the Inhabitants of the Said precinct are Repairing the said meeting house, where it stands & Refuse to move it, Notwithstanding ye said Vote and agreement and therefore Praying that this Court would Either order the Removal of the said Meeting House more South, or that they may be Sett off again to the Town of Natick from whence they were taken, or that a Committee may be Appointed to View and Consider, the Scituation and Circumstances of the Petitioners and of the said Meeting House

Legislative Records of the Council, xii., 15, 19.

House Journal, p. 28. *Ante*, p. 309, chap. 55.

In Council Read &

Ordered that the Prayer of this petition be[3] granted, That William Tailer & Spencer Phips Esq^rs be a Comm^tte to Join with such as the

[1] The House Journal reads, "Chyrurgeory."
[2] The House Journal reads, "*Partrigg.*"
[3] The House Journal inserts, "so far."

Honble house of Representat^vs Shall appoint to Repair to the Easterly precinct in Sudburry, and Consider Wether it will be most Reasonable to Remove the Meeting House there, & to what place if to be Removed, and wether the Petitioners ought to be taken off from Sudbury, & putt to Natick, The Charge of the Comm^tee to be born as this Court shall order

In the House of Represent^s Read & Concurr'd &

Ordered that Henry Phillips John Quincey Esq^rs Capt Samuel Brooks be added to the Committee of the board for the affair abovesaid. [*Passed August 21.*

CHAPTER 150.

ORDER ON PETITION OF NICH^O & MARY ANDREWS COMPLAINING OF A JUDGMENT WITH WRIT OF REVIEW GRANTED.

Legislative Records of the Council, xii., 19.

House Journal, p. 65 (Jan., 1722); p. 31.

A PETITION of Nicholas & Mary Andrews praying that they may be Enabled by a private act to bring forward at the next Inferiour Court of Common pleas for the County of Essex their writt of Review of an action orriginally brought against them By John Cogswell, for wch they petition'd a Continuance of the Judges and upon Presumption that it would be granted they did nott attend at the Court, & so it went against them by Default

Read &

Ordered that the prayer of the Petition be granted The petitioner to pay the Costs hetherto Sustain'd. [*Passed August 21.*

CHAPTER 151.

ORDER ON PATIENCE COPPS PETITION IN REGARD TO A LICENSE TO SELL STRONG DRINK.

Legislative Records of the Council, xii., 19.

House Journal, p. 31. Province Laws, ii., 203, chap. 1.

A PETITION of Patience Copp Shewing that the Justices of the County of Suffolk & ye Select men of the Town of Boston allow'd the Petitioner a licence to Retail Strong Liquors for this present year butt by reason of Sickness She was Incapeable of Attending within the time limitted by Law for Entring into Recognizance, and therefore praying that one or more of the Justices for ye said County may be Impowred to take the Petitioners recognizance for her said Licence.

Read &

Ordered that it Shall & may be Lawfull for one or more of the Justices of the County of Suffolk together with the Clerk of the Court of Generall Sessions of the peace for the said County to take Recognizance of the Petitioner that she may be allowd to be a Taverner, the Time by Law Appointed for taking Recognizances on licences granted for this Present year, being Elapsed, Notwithstanding. [*Passed August 21.*

CHAPTER 152.

VOTE FOR ADJOURNING Y^E COURTS IN THE COUNTY OF MDDX.

Legislative Records of the Council, xii., 21.

WHEREAS the Court of General sessions of the Peace & Inferiour Court of Common pleas for the County of Middlesex are Appointed by Law to be held at Concord for the Said County on the last Tues-

day of this Instant August, and several of the Justices of the said County &c Concern'd are members of this Court.

Resolved that in Consideration of the Present Sitting of the General Court, the said Court of General sessions of the Peace,[1] be and hereby are adjourn d to the Second Tuesday of September next any Law Usage or Custom to the Contrary Notwithstanding. [*Passed August 22.*

House Journal, p. 33. Province Laws, i., 700.

CHAPTER 153.

RESOLVE ON CAPT JOHN WELLANDS PETITION, REMITTING IMPOST ON A NEGRO.

A PETITION of Captn John Welland Praying in Consideration of his Great Loses & Sufferings from the Pirates and the Charges he has been at in Appearing as a Witness at the Court at Rhode Island for their Conviction he may be Remitted the Duty of Impost for a Negro Imported from Jamaica in Capt Burringtons Ship,

Legislative Records of the Council, xii., 21.

House Journal, p. 33.

Read & in Answere to this Petition

Resolved that the Duty of Impost, being Four Pounds for the Importation of the Petitioners Negro, be remitted for ye reasons mentiond in his Petition. [*Passed August 22.*

CHAPTER 154.

RESOLVE ALLOWING 10SH. TO SAML BEMUS.

AN ACCOT of Samuel Bemus for Tending & Keeping a Horse Impress'd for the Delegates amounting to £1.

Legislative Records of the Council, xii., 21.

[Read, and]

Resolved That the Sum of Ten Shillings be allow'd, & paid out of the Publick Treasury to Samuel Bemus in full Satisfaction for Keeping & Tending the Within Mention'd Horse. [*Passed August 22.*

House Journal, p. 33.

CHAPTER 155.

RESOLVE ON ACCOT OF YE TRUSTEES OF YE £50,000 LOAN FOR THE YEAR 1721.

THE ACCOMPT of the Trustees for the £50,000 Loan beginning the 25th May 1720, & Ending the 10th of May 1721 Amounting in the Whole to the Sum of Seven Thousand Eight Hundred & One pounds, fifteen Shillings & two pence, Whereof Six Thousand, four Hundred & four pounds, four shillings & Nine Pence is in Part of the Principal, & One Thousand three hundred & Ninety Seven pounds, Ten shillings & five Pence Interest,

Legislative Records of the Council, xii., 22.

House Journal, p. 24. Province Laws, i., 750, chap. 10. *Infra*, chap. 156.

[Read, Accepted And]

Resolved that the said accompt in ye Several Articles thereof, be, & hereby is Accepted and the said Trustees the Accomptants Discharged of the said Sum of Seven Thousand Eight Hundred and one pounds fifteen Shillings & Two pence accordingly. [*Passed August 23.*

[1] The House Journal here inserts, "and Inferiour Court of Common Pleas."

CHAPTER 156.

RESOLVE ON Y^E ACCO^T OF Y^E TRUSTEES OF THE £50,000 LOAN FOR Y^E YEAR 1722.

Legislative Records of the Council, xii., 22.

House Journal, p. 25. Province Laws, i., 750, chap. 10. *Supra*, chap. 155. *Infra*, chap. 157.

THE ACCOMPT of the Trustees of the £50,000 Loan beginning the 17th of May 1721 and Ending the 10th of June 1722 Amounting in the Whole To One Thousand five hundred & thirteen Pounds five Shillings & Eight pence Whereof One Thousand & fourteen Pounds Ten Shillings is in part of the Principal & Four Hundred Ninety Eight Pounds fifteen shillings & Eight Pence Interest,

[Read, Accepted and]

Resolved that this accompt in the Severall Articles thereof be & hereby is allow'd, and the said Trustees the Accomptants are discharg'd of the above said Sum of One Thousand five Hundred & thirteen pounds five shillings and Eight Pence accordingly. [*Passed August 23.*

CHAPTER 157.

RESOLVE ON ACCO^T OF Y^E TRUSTEES OF Y^E £50,000 LOAN FOR Y^E YEAR 1723.

Legislative Records of the Council, xii., 23.

House Journal, p. 25. Province Laws, i., 750, chap. 10. *Supra*, chap. 156.

THE ACCOMPT of the Trustees of the £50,000 Loan beginning the 26th of June 1722 and Ending the 17th of May 1723 amounting in the whole to One Thousand five Hundred and Ten pounds Ten Shillings and Eleven Pence Whereof One Thousand one hundred seventy one Pounds twelve shillings & two pence is in part of the Principal & Three Hundred thirty eight pounds Eighteen Shillings & Nine Pence Interest,

[Read, Accepted And]

Resolved that the said accompt in the Several Articles thereof be Accepted, and that the said Trustees the Accomptants are discharg'd of the Above said Sum of One Thousand five Hundred & ten Pounds Ten Shillings & Eleven Pence accordingly. [*Passed August 23.*

CHAPTER 158.

ORDER FOR SHIRTS FOR THE DELEGATES.

Legislative Records of the Council, xii., 23.

Legislative Records of the Council, xii., 22. House Journal, p. 31. *Ante*, p. 332, chap. 124.

Ordered That Mr Treasurer be directed to provide a Suitable Shirt for each of the Delegates[1] & their attendants. [*Passed August 23.*

CHAPTER 159.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF THE GARRISON AT FORT GEORGE CP^T JN^O GYLES.

Legislative Records of the Council, xii., 25. Mass. Archives, xci., 93.

A MUSTER ROLL of the Garrison[2] in his Majesties Service at Fort George at Brunswick under the Command of Cp^t John Gyles Containing an accompt of Wages due to them for their service from August the 14th 1722 to Jan 15th 1722 amounting to the Sum of £176. 16. 6.

[1] Of the Eight Nations. See the marginal references.
[2] The House Journal reads, "Company."

Read and Accepted &

Resolved That the Sum of One hundred and Sixty Nine pounds, fourteen shillings & Nine pence be allowed and paid out of the publick Treasury to Capt John Gyles, the other officers & souldiers born on the within Roll to whom the Same is respectively due in full discharge of the Wages thereof. [*Passed August 24.*

Mass. Archives, xci., 92. House Journal, p. 35.

CHAPTER 160.

RESOLVE ALLOWING PAYMENT OF THE 2D MUSTER ROLL OF YE GARRISON AT FORT GEORGE CPT JNO GYLES.

A MUSTER ROLL of the Garrison[1] in his Majesties Service at Fort George at Brunswick under the Command of Cpt John Gyles Containing an accompt of Wages, due to them for their service from Janry 16 1722 to July 17. 1723 amounting to the Sum of £296. 18. 1.

[Read Accepted and]

Resolved That the Sum of Three Hundred Thirty four Pounds,[2] Four shillings & one Peny be allow'd & paid out of the publick Treasury to the Officers and Soldiers born on the within Muster Roll (Agreeable to the Committees Report,) in full Discharge of said Roll. [*Passed August 24.*

Legislative Records of the Council, xii., 25.

House Journal, p. 36.

CHAPTER 161.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CPT SAML WHEELWRIGHTS COMPANY.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Cpt samuel Wheelwright, Containing an accompt of wages due to them for their Service from Jan: 30th 1722 to July 30. 1723 amounting to the Sum of £499. 17. 4.

[Read, Accepted and]

Resolved that the Sum of Four hundred and Ninety Nine Pounds, Seventeen shillings and four Pence be allowd & Paid out of the Publick Treasury to the said Samuel Wheelwright and the other Officers and Soldiers born on the Within Roll to whom is Respectively due in full Discharge of the Wages thereof. [*Passed August 27.*

Legislative Records of the Council, xii., 26.

House Journal, p. 36.

CHAPTER 162.

RESOLVE ALLOWING £5 TO JNO OVERING.

A PETITION of Mr John Overing late Attorney Generall praying an allowance for his Service in the said office the Year past,

Read &

Resolved that the Sum of Five Pounds be allow'd & paid out of the Publick Treasury to the Petitioner in full for his service as above Express'd. [*Passed August 27.*

Legislative Records of the Council, xii., 27.

House Journal, p. 40.

[1] The House Journal reads, "Company."

[2] This amount is accounted for by the committee's report. See House Journal, p. 36.

CHAPTER 163.

RESOLVE ALLOWING £9 TO ELISHA PLAISTED.

Legislative Records of the Council, xii., 27.

House Journal, p. 35.

AN ACCOMPT of Elisha Plaisted Esqr for his Care & Trouble in delivering out Provissions &c^a to the Soldiers at Berwick by order of the Treasurer from Septem^r 16 1722 to Augt 1. 1723 Amounting to the Sum of £31. 10.

[Read, Accepted And]

Resolved That the Sum of Nine pounds be allow'd & paid out of the Publick Treasury to Elisha Plaisted Esqr in full discharge of the Within Accompt. [*Passed August 27.*

CHAPTER 164.

RESOLVE ALLOWING £20 TO CP^T JOHN GYLES.

Legislative Records of the Council, xii., 27.

House Journal, p. 38.

AN ACCOMPT of Disburstments at Fort George in Brunswick presented by Cp^t John Gyles amounting to the Sum of £20. 8.

[Read, Accepted And]

Resolved that the Sum of Twenty pounds[1] be allow'd & paid out of the Publick Treasury to Cp^t John Gyles in full discharge of the within accompt. [*Passed August 27.*

CHAPTER 165.

ORDER FOR SORTING PAPERS IN Y^E COURT HOUSE.

Legislative Records of the Council, xii., 27.

House Journal, pp. 3, 40.

IN THE HOUSE OF REPRESENT^S Whereas in the Desolation made by fire when the Town House in Boston was burnt, some years ago, Sundry Papers & Records &c^a of the Governm^t of great Value & Importance to the Province were Saved, & now Lodg'd again in the Court House butt in great disorder & Irregularity

Ordered That Elisha Cook, William Dudley & William Payne Esq^rs be Desired at the Charge of the Government to Search those Papers & file them in their Proper order & Course

In Council Read and Concurr'd and Addington Davenport Esqr and the Secretary are added to the Committee In the House of Represent^s Read & Concur'd. [*Passed August 27.*

CHAPTER 166.

RESOLVE ALLOWING £5. 16. 8 TO MARY STOCKBRIDGE, WAGES DUE HER LATE HUSBAND.

Legislative Records of the Council, xii., 28.

House Journal, p. 40.

A PETITION of Mary Stockbridge Praying that the Treasurer may be directed to pay her the wages due to her Husband samuel Stockbridge decd (who was kill'd in the service) as Carried out in Cp^t Johnson Harmans muster Roll

[1] The House Journal reads, £20. 8.

Read &
Resolved that Mr Treasurer be directed, to Pay to the Petitioner the wages due to her late Husband, Samuel Stock bridge being Five Pounds Sixteen Shillings & eight pence. [*Passed August 27.*

CHAPTER 167.

RESOLVE ALLOWING JOHN GOOCH £137. 8.

A MEMORIAL of John Gooch of Boston late Commissary of the Eastern Forces Praying that he may be allow'd for Sundry Slops sold by him to Severall Soldiers, who have deserted the Publick Service the sums Supplyd, being Carried out to them in the Muster Rolls butt nott allow'd in Passing them, The Treasurer, having given him orders to furnish the Soldiers for their Necesitys out of his own goods, at a Time when he had none of the Publick stores in his hands.

Legislative Records of the Council, xii., 29.

House Journal, p. 41.

Read [Accepted] &
Resolved that Mr Treasurer Allen be directed to allow the Memorialist John Gooch the Sum of One Hundred & thirty Seven pounds, Eight Shillings in adjusting accompts with him for so much Supply'd the forces, out of his Particular Stores before the Province Slops arriv'd being for the use of the Province. [*Passed August 28.*

CHAPTER 168.

RESOLVE ALLOWING £3. 11. 9 TO THOS WELLS.

AN ACCOMPT Presented by Thomas Wells of his Time & Expence in attending the Delegates of the Eight Nations amounting to ye sum of £5. 1. 9.

Legislative Records of the Council, xii., 29.

[Read, Accepted And]
Resolved that the sum of Three Pounds Eleven Shillings & nine pence, be allow'd & paid out of the Publick Treasury to the accomptant Thos Wells in full discharge of the said accompt. [*Passed August 28.*

House Journal, p. 41.

CHAPTER 169.

RESOLVE ALLOWING £26. 15. 11 TO JONA DOWSE & TIMO CLARK.

AN ACCOMPT Presented by Jonathan Dowse & Timothy Clark Esqrs of their time & Charges about the Light house amounting to £26. 15. 11.

Legislative Records of the Council, xii., 30.

[Read, Accepted And]
Resolved That the sum of Twenty Six Pounds fifteen Shillings & Eleven Pence be allow'd & paid out of the Publick Treasury to the Accomptants Jonathan Dowse & Timothy Clark Esqrs in full Discharge of the within accompt. [*Passed August 28.*

House Journal, p. 41.
Ante, p. 300, chap. 32.

CHAPTER 170.

RESOLVE ALLOWING £9. 6 TO TIM° DWIGHT.

Legislative Records of the Council, xii., 30.

House Journal, pp. 40, 41.

AN ACCOMPT of Timothy Dwight of his Time & Expence in going to Albany and assisting Leiu^t Kellog in Conducting the Delegates from Albany to Springfield, Amounting to the Sum of £12. 15/.

[Read And]

Resolved that the Sum of Nine Pounds & Six shillings be allow'd & paid out of the Publick Treasury to Timothy Dwight the accomptant in full discharge of the said accompt. [*Passed August 29.*

CHAPTER 171.

VOTE FOR ADJOURNING Y^E COURTS IN THE COUNTY OF HAMPSHIRE.

Legislative Records of the Council, xii., 31.

House Journal, pp. 44, 45. Province Laws, ii., 86, chap. 8; 165, chap. 1.

WHEREAS The Inferour Court of Common pleas &c^a Appointed by Law to be held at Springfield in the County of Hampshire on the Last Tuesday of August Instant, was adjourn'd by the Justices thereof to the first Tuesday of September next, Several of them being members of the General Court W^ch is Still Sitting,

It is therefore

Resolved that the said Inferiour Court of Common pleas & Court of General Sessions be & hereby is further adjourned unto the last Tuesday of September, next, And to the Intent that no Person appealing from the said Court may lose the benifit of Such appeal to the next Superiour Court of Judicature &c^a to be holden for the said County of Hampshire,

Resolved that the said Superiour Court of Judicature, Court of Assize & General Goal delivery appointed by Law to be held at Springfield for the said County of Hampshire on the Fourth Tuesday of September next, Shall be & hereby is adjourn'd to the Third Tuesday of October next, and that the Judges then Proceed to Hear, try, and enter up Judgement upon all Actions brought before them by way of Appeal from the said Inferiour Court of Common Pleas & Court of General Sessions of the Peace at their next Session by adjournment as aforesaid, any Law Usage or Custom to the Contrary notwithstanding, And that all Actions, writts & process, Recognizances, appeals, Judgements, Presentments and other matters and things, which were depending to be heard, or that might have been heard and tried at the said Inferiour Court or Superiour Courts, Courts of Generall Sessions of the Peace or Court of Assize & General Goal Delivery, be and hereby are Revived & Continued, and Shall be heard, Pleaded & proceeded upon in the aforesaid Courts Respectively as fully in all Respects as if the said Courts had been held or were to sitt at the Several times appointed by Law for their Session before the making of this Resolve, and all Parties, Witneses, Jurors, Grand Jurors, and other Persons Concern'd are to give their attendance on the Respective adjournments Accordingly. [*Passed August 29.*

CHAPTER 172.

RESOLVE ALLOWING £28. 5. 6 TO BARTHOL° GREEN & SAMUEL KNEELAND.

AN ACCOMPT of Bartholomew Green & samuel Kneeland of Printing the votes of the Represent^vs^ for the Last Session amounting to £28. 5. 6. [Read and]

Resolved That the Sum of Twenty eight Pounds five Shillings & Six pence be allow'd & paid out of the Publick Treasury to the Accomptants Bartholomew Green & Samuel Kneeland in full Discharge of the said accompt. [*Passed* August 29.*

Legislative Records of the Council, xii., 32.

Executive Records of the Council, vii., 515. House Journal, p. 42.

CHAPTER 173.

RESOLVE ALLOWING £3 TO JOS: JENNINGS.

AN ACCOMPT of Joseph Jennings of his Time & Charge in accompanying the Delegates from Springfield to Boston amounting to £3. [Read and]

Resolved that the Sum of Three Pounds be allow'd and paid out of the Publick Treasury to Mr Joseph Jennings in full Discharge of the above Accompt. [*Passed August 30.*

Legislative Records of the Council, xii., 32.

House Journal, pp. 15, 46. *Ante*, p. 346, chap. 170.

CHAPTER 174.

RESOLVE ALLOWING 35SH. TO THOM^S^ RICHE.

AN ACCOMPT of Thomas Rich of his Attendance on Coll° John Schuyler in his Journey to Boston Amounting to £2. 5/. [Read, And]

Resolved that the Sum of Thirty five Shillings be allow'd & paid out of the Publick Treasury to Thomas Rich in full of this Accompt. [*Passed August 30.*

Legislative Records of the Council, xii., 33.

House Journal, p. 46. *Ante*, p. 332, chap. 124.

CHAPTER 175.

RESOLVE ALLOWING 15SH. TO WILL^M^ LAWRENCE.

AN ACCOMPT of William Lawrence of Riding Express to Boston [Read and]

Resolved That the Sum of fifteen Shillings be allow'd & paid out of the Publick Treasury to the said William Lawrence in full Discharge of the within accompt. [*Passed August 30.*

Legislative Records of the Council, xii., 33.

House Journal, p. 46.

CHAPTER 176.

RESOLVE ALLOWING £169. 9. 4 TO CPT JOHN GERRISH.

Legislative Records of the Council, xii., 33.

House Journal, p. 27.

AN ACCOMPT of John Gerrish for Keeping & Cleaning 598 Province arms from the year 1717 to this Present time amounting to £298. 16. 10.

[Read, accepted And]

Resolved that the Sum of One hundred Sixty Nine Pounds nine shillings & four pence be allow'd & paid out of the Publick Treasury to the Accomptant Cpt John Gerrish in full Discharge of the within accompt. [*Passed August 30.*

CHAPTER 177.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF COLLO JOHN WHEELWRIGHTS COMPANY.

Legislative Records of the Council, xii., 34.

Executive Records of the Council, vii., 517. House Journal, p. 11.

A MUSTER ROLL of the Company under the Command of Collo John Wheelwright, Containing an accompt of wages due to them for their Service from Novr 28. to January 29. 1722 Amounting to the sum of £407. 7. 11.

[Read, Accepted and]

Resolved That the Sum of Three Hundred and fifty Two Pounds, nine Shillings & Eleven pence be allow'd and paid out of the Publick Treasury to the Officers and Soldiers, born on the within Roll to whom the Same is Respectively due, Agreeable to the Committee's report in full Discharge of this Muster Roll. [*Passed* August 31.*

CHAPTER 178.

RESOLVE ALLOWING £53. 15 TO EDMD MOUNTFORTH.

Legislative Records of the Council, xii., 34.

House Journal, p. 48.

AN ACCOMPT Presented by Edmund Mountforth of his Service as an assistant to the Treasurer in Receiving & delivering out the Stores to the Commanders of the Companys in the Service Eastward from Janry 17, 1722 to Augt 19. 1723 Amounting to the Sum of £53. 15/.

[Read, Accepted And]

Resolved that the Sum of Fifty three Pounds & fifteen Shillings be allow'd & paid out of the Publick Treasury to Edmund Mountforth the Accomptant in full Discharge of the said Accompt. [*Passed August 31.*

CHAPTER 179.

RESOLVE ALLOWING £15 TO DAVID MELVILL.

Legislative Records of the Council, xii., 35.

House Journal, pp. 33, 49.

A PETITION of David Melvill Keeper of his Majestys Goal in Boston Praying an allowance for Subsisting Maurice Fitz Gerrald and Martha Edwards two Criminalls under the Sentence of the Superiour Court who are Incapeable of Paying any thing themselves

[Read, Accepted And]

Resolved that the Sum of Fifteen Pounds be allow'd and Paid out of the Publick Treasury to the Petitioner David Melvil in full Satisfaction of his Accompt. [*Passed September 2.*

CHAPTER 180.

RESOLVE ALLOWING £15. 13. 4 TO ALEX^A HAMILTON.

A PETITION of Alexander Hamilton Setting forth his great Loses and Sufferings in his Captivity by the Indian Enemy & his Engagements to Coll^o John Schuyler for money he has advanced for bearing his Necessary Charges from Canada to Albany & so to Boston & Praying some allowance & relief from this Court

Legislative Records of the Council, xii., 35.

House Journal, pp. 15, 31, 49.

Read [Accepted] and

Resolved that the Sum of fifteen Pounds Thirteen shillings and four Pence be allowd and paid out of the publick Treasury to the Honble John Scuyler Esqr in full for So much Supplyd & advanced to the Petitioner Hamilton for his Expences in Returning from Canada to Albany and New England.[1] [*Passed September 2.*

CHAPTER 181.

RESOLVE ALLOWING £10. 7 TO DAN^L ASHLEY.

AN ACCOMPT Presented by Daniel Ashley of his Time & Expence in attending the Delegates, Coll^o Schuyler &c^a Amounting to the Sum of £10. 7.

Legislative Records of the Council, xii., 35.

[Read, Accepted And]

House Journal, p. 49.

Resolved that the Sum of Ten Pounds seven Shillings be allowd and Paid out of the Publick Treasury to the accomptant Daniel Ashley in full discharge of the within accompt. [*Passed September 3.*

CHAPTER 182.

RESOLVE ALLOWING £3. 8. 11 TO CPT EBEN^R POMROY.

AN ACCOMPT Presented by Cp^t Ebenezer Pomroy of his Time & Expence in Attending on the Delegates of the Eight Nations

Legislative Records of the Council, xii., 35.

[Read, Accepted, And]

House Journal, p. 50.

Resolved that the Sum of Three Pounds eight Shillings & Eleven Pence be allowd & paid out of the Publick Treasury to Cpt Ebenezer Pomroy in full Discharge of the within accompt. [*Passed September 3.*

[1] The House Journal adds, "the Exchange of the Money included."

CHAPTER 183.

RESOLVE ALLOWING £40. 4. 1 TO L^T JOSEPH KELLOG.

Legislative Records of the Council, xii., 35.

House Journal, pp. 40, 49. *Ante*, p. 347, chap. 173.

AN ACCOMPT Presented by Lt Joseph Kellog of Sundry sums expended on ye Delegates of ye eight nations in their Journey to Boston amounting to the Sum of £41. 4. 1.

[Read, Accepted And]

Resolved That the Sum of Forty Pounds four Shillings and one peny[1] be allowd & paid out of the Publick Treasury to Joseph Kellog the Accomptant in full Discharge of this Accompt. [*Passed September 3.*

CHAPTER 184.

RESOLVE ALLOWING £1. 18 TO COLL^O JOHN STODDARD.

Legislative Records of the Council, xii., 36.

House Journal, p. 47.

AN ACCOMPT presented by Coll^o John Stoddard of Money by him advanced for Conveying of Letters for the Service of the Government amounting to the Sum of £3. 18/.

[Read and]

Resolved That the sum of One Pounds[2] Eighteen Shillings be allowd and paid out of the Publick Treasury to John Stoddard Esqr in full Discharge of the within Accompt. [*Passed September 3.*

CHAPTER 185.

RESOLVE ALLOWING 30SH. TO COLL^O HENRY SOMERSBY.

Legislative Records of the Council, xii., 36.

House Journal, p. 50.

AN ACCOMPT Presented by Coll^o Henry Somersby of Expences about the Publick Stores amounting to £1. 10.

[Read and]

Resolved That the Sum of Thirty Shillings be allow'd & paid out of the Publick Treasury to Coll^o Henry Somersby in full Discharge of the accompt hereunto Annex'd. [*Passed September 3.*

CHAPTER 186.

RESOLVE ON PETITION OF STEWARD, JAQUES, AND SAUNDERS PRAYING AN ALLOWANCE FOR ARMS LOST.

Legislative Records of the Council, xii., 36.

House Journal, p. 51.

A PETITION of Solomon Steward, Richard Jaques, & Samuel Saunders Praying an allowance for their Armes, Lost in the Publick Service & by the Enemys Taking the Town of Brunswick

Read &

Resolved that the Petitioners be exempted from paying any thing for the use of the Province arms, during their being in the service & that when they are Discharg'd from the Service, and upon their Returning the Province Armes now in their Improvement, they & each of them be allow'd forty Shillings, & that the Treasurer be directed to pay the Same out of ye Publick Treasury; accordingly provided that it appear that the Arms lost were the mens own armes. [*Passed September 3.*

[1] The House Journal reads, £41. 4. 1.

[2] *Sic.*

CHAPTER 187.

RESOLVE ALLOWING 31SH. TO JACOB COLLINS.

A PETITION of Jacob Collins Praying an allowance for attending as a witness at the Hearing of Complaints against Major Moody the Last winter by order of the General Court; Legislative Records of the Council, xii., 36.

[Read and]

Resolved that the sum of Thirty one Shillings be allow'd & paid out of the publick Treasury to the Petitioner Jacob Collins in full Satisfaction for his Service as mentiond in his Petition. [*Passed September 3.* Legislative Records of the Council, xi., 450. House Journal, p. 51. *Ante*, p. 236 chap. 221.

CHAPTER 188.

RESOLVE ALLOWING PAYMENT OF YE MUSTER ROLL OF YE SLOOP SEA FLOWER SIMON SLOCUM MASTER.

A MUSTER ROLL of the Sloop Sea Flower Simon Slocum Master, Containing an accompt of wages due to the said Master & Company for their Service and the hire of the said Sloop from Janry 15. 1722 to August 16 1723, Amounting to the Sum of £210. 3. 6. Legislative Records of the Council, xii., 36. House Journal, p. 48.

[Read, And]

Resolved that the Sum of Two Hundred and Ten Pounds, three Shillings and Six pence be allow'd and paid out of the Publick Treasury to the Said Simon Slocum, & the Sailors born on the within Muster Roll in full Discharge of the Wages and Sloop hire. [*Passed September 3.*

CHAPTER 189.

RESOLVE ALLOWING £1. 17 TO BENJA LAWRENCE.

AN ACCOMPT of Benjamin Lawrence of the Hire of Horses Impress'd for ye Publick Service Amounting to £1. 17. Legislative Records of the Council, xii., 37.

[Read, Accepted and]

Resolved That the Sum of One Pound Seventeen Shillings be allow'd and paid out [of] the Publick Treasury to the said Benjamin Lawrence for himself & Thomas Coll Junr in full Discharge of the within accot. [*Passed September 3.* House Journal, p. 49.

CHAPTER 190.

VOTE FOR REPARING THE DELEGATES GUNS &cA.

Resolved That the Guns, Hatchetts & Kettles belonging to the Delegates be repair'd at the Charge of the Province. [*Passed September 3.* Legislative Records of the Council, xii., 37. House Journal, p. 52.

CHAPTER 191.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CPT DANLL PECKERS COMPA.

Legislative Records of the Council, xii., 37.

House Journal, p. 48.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Cpt Daniel Pecker, Containing an Accompt of wages due to them for their service from Janry 14. 1722 to August 26. 1723 amounting to the Sum of £535. 7. 2.

[Read, Accepted And]

Resolved That the sum of Four hundred Sixty five Pounds fourteen Shillings & Six Pence be allow'd & paid out of the Publick Treasury to the said Daniel Pecker and the other Officers & Soldiers born on the within Roll to whom the Same is Respectively due according to the Committees Report. [*Passed September 3.*

CHAPTER 192.

RESOLVE ON PETITION OF THE TOWN OF WESTON IN REGARD TO TAXES.

Legislative Records of the Council, xii., 37.

House Journal, p. 52. Province Laws, ii., 295.

WHEREAS it appears that the Town of Westown has Ten Pounds added to their tax, this present Year more then their Proportion of what was realy agreed on by this Court when that Tax was Raised,

Resolved That the Treasurer be & hereby is directed to grant out his Warrants to the Town of Westown for the Raising a Tax on the Polls and Estates therein for the Sum of thirty eight Pounds nine Shillings & four pence half peny, the Aforesaid Tax Act or any other Usage or Custom to the Contrary Notwithstanding. [*Passed September 3.*

CHAPTER 193.

ORDER ANNEXING CHARLESTOWN NO INHABITANTS TO MALDEN.

Legislative Records of the Council, xii., 38.

House Journal, p. 43. *Ante*, p. 317, chap. 79.

Ordered That the Inhabitants & their lands & Estates belonging to Charles town lying and being on the North Side of Mistick River to the South bounds of Malden & between the bounds of Boston & Medford, be sett off from the Town of Charlestown and annexd to Malden, As to the Charge of Supporting ye Ministry Meeting House, Schools, & School Houses and the Privilege of Voting in all Matters Relating to the Same. [*Passed September 5.*

CHAPTER 194.

VOTE DIRECTING PAYMENT TO HANNAH KIBBY OF HER LATE HUSBAND'S WAGES.

Legislative Records of the Council, xii., 39.

House Journal, p. 55.

A PETITION of Hannah Kibby Shewing that her Husband was drowned in the publick Service with Cpt Carlisle and hath left her in very needy & distresd Circumstances and praying that She may be enabled to Receive what mony is due to her said Husband for his service

Read & in Answere to this Petition

Voted That Mr Treasurer be directed to Pay to the Petitioner what money Shall appear to be due to her late Husband Jonathan Kibby for his wages in the Service of this Province on any Roll that may hereafter be presented for Payment, and allso that Cpt Shipley be directed to pay her what money he has in his hands due to her said Husband, when under his Command. [*Passed September 5.*

CHAPTER 195.

ORDER ON JONAS CLARKS PETITN, REMITTING DUTY ON A NEGRO.

A PETITION of Jonas Clark of Boston Brazier, praying that this Court would remit to him the Duty of a Negro Girl Imported from Jamaica in ye Ship Queen Elizabeth Cp't George Beal in Consideration of her lameness occasion'd by her falling down between Decks in the Passage by which she is so disabled that he has little hopes of her being well again

Legislative Records of the Council, xii., 39.

House Journal, p. 53.

Read &

Ordered That the Prayer of this Petition be Granted. [*Passed September 5.*

CHAPTER 196.

RESOLVE FOR A PENSION TO WM WOODWARD.

A PETITION of William Woodward a Soldier in his Majesties Service eastward Praying that he may be allow'd a Pension out of the Publick Treasury in Consideration of his hands being broken to peices by his guns Splitting upon his firing by order of his Superiour Officer Read &

Legislative Records of the Council, xii., 39.

House Journal, p. 56.

Resolved that a Pension of eight Pounds per Annum be allow'd and paid out of the publick Treasury to the Petitioner William Woodward during the Pleasure of this Court. [*Passed September 5.*

CHAPTER 197.

ORDER OF HEARING ON YE PETITION OF YE PROPRIATORS OF DIGHTON IN REGARD TO THE LINES OF THE GORE.

A PETITION of Sundry of the propriators of the Towne of Dighton praying that the Settlement of the Lines of a Tract of Land Called the Gore or outlett (being part of Shewamet purchase) made by an order of this Court on the Report of Samuel Thaxter Esqr &ca may nott be allow'd, as a plea in any Court where their title to their land may be Tried, for that they were never heard before this Court upon the Passing it, & likewise praying that ye said Settlement may be sett aside,

Legislative Records of the Council, xii., 39, 40.

House Journal, p. 53.

Ante, p. 145, chap. 116.

In Answere to this Petition

Ordered[1] That a Hearing be had on this Petition before this Court on the Second Wednesday of the next Session, and that the Petitioners

[1] The House of Representatives having now reconsidered a vote passed on June 14.

in the mean time, Serve William Salisbury in behalf of himself and others who Stile themselves Owners of a Peice or Parcell of Land Called the Gore or Outlett, which is parcell of a Tract of Land Commonly Called Shewamett Purchase, As by their Petition Presented to this Court, Bearing Date March 15. 1720 Appears, Allso the Propriators Clerk of Shewamett with a Coppy of the Petition, That they may Sett forth their Reasons, Why the Prayer there of Should nott be Granted, And that all Process, Touching the Title or Property of the Premises be Suspended till the further order of this Court, and that in the mean time no Strip or wast Shall be made on the Premises by Either Party. [*Passed September 5.*

CHAPTER 198.

VOTE FOR FURTHER ADJOURNING THE COURTS IN Y^E COUNTY OF MDDX.

Legislative Records of the Council, xii., 41.

House Journal, p. 57. *Ante*, p. 340, chap. 152.

IN THE HOUSE OF REPRESENT^S Whereas the Court of Generall Sessions of the Peace, and Inferiour Court of Common Pleas for the County of Middlesex have by this Court in their Present Session been adjourn'd to the Second Tuesday of this Instant September, and Several Members of this Court being Justices of the said Court of General sessions of the Peace & Inferiour Court of Common Pleas & others are Concern'd and the General Court being Still Sitting

Resolved That in Consideration of the Present Sitting of the General Court, The said Court of General Sessions of the Peace & Inferiour Court of Common Pleas, be and hereby are further adjourned, to the Second Tuesday of October next Any Law, Usage or Custom to the Contrary Notwithstanding. [*Passed September 7.*

CHAPTER 199.

ORDER ACCEPTING THE COMM^TEES REPORT OF A PRESENT TO THE DELEGATES OF Y^E EIGHT NATIONS.

Legislative Records of the Council, xii., 42.

Legislative Records of the Council, xii., 42. House Journal, p. 62. *Ante*, p. 342, chap. 158.

PURSUANT To the order of the Honble the General Court, the Committee Appointed to Consider what may be proper for this Government to present to the Delegates of the eight Nations are Humbly of Opinion that the Following Presents be made them, vizt Fifty four guns now at Albany, Sixty One Shirts, One Red, one blue, & one white blankett for each, Sixty Seven Hatchetts and some other Small things, The whole may amount to near Five Hundred Pounds

[On the question, after some disagreement, whether the report should be accepted]

Resolved in The Affirmative so farr as that a present of the Fifty four Guns now at Albany Sixty One Shirts, One Red, one blue, and one white Blankett for each Sixty Seven Hatchetts and some small Things nott Exceeding the Value of Twelve Pounds be made to the Delegates. [*Passed September 10.*

CHAPTER 200.

RESOLVE ALLOWING £27 TO DAVID MELVILL.

AN ACCOMPT of David Melvill for Subsisting nine Indian Prisoners to the 20th of August 1723 Amounting to the Sum of £27.

[Read, Accepted And]

Resolved That the Sum of Twenty Seven pounds be allow'd and Paid out of the Publick Treasury to the Accomptant David Melvill in full Discharge of the said Accompt. [*Passed September 10.*

Legislative Records of the Council, xii., 43.

House Journal, p. 59.

CHAPTER 201.

RESOLVE ALLOWING £49. 10 TO MR JONA PEIRPOINT.

AN ACCOMPT of Mr Jonathan Peirpoint of his service as Chaplain of the Forces Eastward under the Command of Collo Thomas Westbrook from Janry 19. 1722 to Septemr 6. 1723 Amounting to the Sum of £49. 10/.

[Read, Accepted and]

Resolved that the Sum of Forty Nine Pounds ten Shillings be allowd & paid out of the Publick Treasury to Mr Jonathan Peirpoint in full Discharge of the said Accompt. [*Passed September 10.*

Legislative Records of the Council, xii., 43.

House Journal, p. 59.

CHAPTER 202.

RESOLVE ALLOWING £15. 16. 11 TO CPT JOSEPH HEATH.

A MEMORIAL of Cpt Joseph Heath Praying that he may be allowd the sum of Twenty two Pounds & ten Shillings Stop'd in his Muster Roll the said Sum being Supply'd by him out of the Publick Stores to Several Soldiers that afterwards deserted his Majesties Service,

[Read, Accepted And]

Resolved That the Sum of Fifteen Pounds sixteen Shillings & eleven Pence be allow'd & paid out of the Publick Treasury to Cpt Joseph Heath agreeable to the Committees Report. [*Passed September 10.*

Legislative Records of the Council, xii., 43.

House Journal, pp. 50, 59. *Ante*, p. 262, chap. 306.

CHAPTER 203.

RESOLVE ALLOWING £21. 19. 2 TO CPT EDWD WINSLOW.

AN ACCOMPT Presented by Edward Winslow Esqr Sherriff of the County of Suffolk of his Time & Charges in Conveying Samuel Chapin & Abel Chapin from Boston to Rhode Island Amounting to the Sum of £21. 19. 2.

[Read, Accepted And]

Resolved That the sum of Twenty one Pounds Nineteen Shillings & two pence be allow'd & paid out of the Publick Treasury to Edwd Winslow Esqr in full Discharge of the Within Accompt. [*Passed September 10.*

Legislative Records of the Council, xii., 43.

House Journal, p. 60. *Ante*, p. 337, chap. 140.

CHAPTER 204.

RESOLVE ALLOWING £8. 10 TO HEZ: PHELPS.

Legislative Records of the Council, xii., 44.

House Journal, pp. 44, 50. *Ante*, p. 349, chap. 180.

AN ACCOMPT of Hezekiah Phelps of going Express to Albany & Accompanying Mr Hamilton from Westfield to Boston Amounting to £14. 2. 3.

[Read and]

Resolved That the sum of Five Pounds ten shillings for the Accomptants going from Westfield to Albany, and back again to Boston his Expences, Horse hire &ca and the further sum of Three Pounds for his expences Horse hire &ca for himself & Alexander Hamilton by order of John Asley Esqr making in the Whole Eight Pounds Ten Shillings be allow'd and paid out of the Publick Treasury to the Accomptant Hezekiah Philps in full Discharge of the within accompt. [*Passed September 11.*

CHAPTER 205.

RESOLVE ON NATICK INDIANS PETITION FOR POWER TO SELL LAND.

Legislative Records of the Council, xii., 44.

House Journal, p. 62. Province Laws, ix., 376, chap. 91.

A PETITION of Thomas Wabaun Junr & others of Natick Descendents of the Indian Propriators of a Tract of Land Called Nashoba, Praying for Reasons Therein Mention'd That they may have Liberty to make Sale of their Right and Interest in the said Land.

Read &

Ordered That the Revd Mr John Leverett & Spencer Phips Esqrs Trustees for the Indian Propriators &ca be served with a Copy of this Petition, That they may give Answere thereto (if they See Cause) on the first Tuesday of the next fall Session. [*Passed September 11.*

CHAPTER 206.

RESOLVE ALLOWING £122. 10 TO DR EDWD ELLIS.

Legislative Records of the Council, xii., 45.

House Journal, p. 64.

AN ACCOMPT Presented by Edward Ellis Surgeon of the Forces Eastward of his own & John Neguis his Assistant's Service from Decemr 25 1722 to August 25 1723 Amounting to the sum of £122. 10 .

[Read, Accepted and]

Resolved That the sum of One Hundred & twenty two Pounds ten Shillings be allow'd & paid out of the Publick Treasury to Dr Edward Ellis in full Discharge of this accompt. [*Passed September 12.*

CHAPTER 207.

RESOLVE ALLOWING £38 TO DR SAML MOODEY.

Legislative Records of the Council, xii., 45.

AN ACCOMPT of Samuel Moody of his service as Surgeon of the Forces Eastward from April 29. 1723 to Septemr 8. 1723 Amounting to the sum of £38.

[Read, Accepted and]
Resolved That the sum of Thirty Eight pounds be allow'd & paid out of the Publick Treasury to Dr Samuel Moodey in full Discharge of the within Accompt. [*Passed September 12.*

House Journal, p. 64.

CHAPTER 208.

RESOLVE ON THE ACCOT OF REPAIRS AT THE CASTLE.

AN ACCOMPT Signed Wm Dummer, Edward Hutchinson Jos: Wadsworth (the Committee for the Repairs of Castle William) of Sundry Sums laid out for Effecting the said Repairs Amounting in the whole to £307. 10. 4.

Legislative Records of the Council, xii., 45.

[Read, Accepted And]
Resolved That there be allowd & paid out of the Publick Treasury the sum of Fifty five Pounds twelve Shillings and Eight Pence which with the Sum of Nineteen Pounds Sixteen Shillings and Eleven Pence the Ballance of this accompt in the Committees hands is in full discharge of the accompt of what is due to sundry People for Gun Carriages &ca and of the Committees Care & Trouble in Performing the Service within Mentioned. [*Passed September 12.*

House Journal, pp. 63, 64. *Ante*, p. 202, chap. 119.

CHAPTER 209.

RESOLVE ALLOWING £30 TO JOS: KELLOG.

A PETITION of Joseph Kellog Praying some Consideration and Allowance for his services to this Province as Interpreter to the Five Nations and for his Journeys to Albany & Conducting the Delegates to Boston

Legislative Records of the Council, xii., 46.

Read [Accepted] &
Resolved That the Sum of Thirty Pounds be allowd and paid out of the Publick Treasury to the Memorialist Joseph Kellog in full Satisfaction for the Services Mention'd in the Memorial. [*Passed September 12.*

House Journal, p. 64. *Ante*, p. 350, chap. 183.

CHAPTER 210.

RESOLVE ALLOWING £122. 0. 1 TO SAMUEL THAXTER ESQR.

AN ACCOMPT Presented by Samuel Thaxter Esqr of Plank and Timber supply'd for the Works at Castle William Amounting to the sum of £122. 0. 1.

Legislative Records of the Council, xii., 46.

[Read, Accepted And]
Resolved That the Sum of One Hundred & Twenty Two Pounds & one peny be allow'd & paid out of the Publick Treasury to Samuel Thaxter Esqr in full Discharge of this accompt. [*Passed September 12.*

House Journal, p. 64. *Ante*, p. 357, chap. 208.

CHAPTER 211.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CPT JNO SHIPLEYS COMPA.

Legislative Records of the Council, xii., 47.

House Journal, p. 66.

A MUSTER ROLL of the Company in his Majesties Service Eastward late under the Command of Cpt John Shipley, Containing an Accompt of wages due to ym for their Service from June 25 to August 20. 1723 Amounting to the Sum of £112. 16. 5.

[Read, Accepted And]

Resolved that the Sum of Ninety eight pounds Nineteen Shillings & Ten Pence be allowd & paid out of the Publick Treasury to the officers and Soldiers born on the within Roll in full Discharge of the Wages thereof according to the Committees Report. [*Passed September 13.*

CHAPTER 212.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF YE COMPA UNDER YE COMMD OF CPT GEORGE CARLISLE DECED.

Legislative Records of the Council, xii., 47.

House Journal, p. 65.

A MUSTER ROLL of the Company Late under the Command of Cpt George Carlisle deced being in his Majesties Service Containing an Accompt of wages due to them for their said Service from April 16. 1723 to the 31st of July following Amounting to the Sum of £269. 11. 6.

[Read, Accepted And]

Resolved That the Sum of Two Hundred fifty eight Pounds Six shillings & six Pence be allow'd & paid out of the Publick Treasury to the several persons to whom the Same is Respectively due in full Discharge of the within Roll agreeable to the Committees Report. [*Passed September 13.*

CHAPTER 213.

RESOLVE ALLOWING 34SH. TO COLLO ELEAZR TYNG.

Legislative Records of the Council, xii., 48.

House Journal, p. 65.

AN ACCOMPT of Collo Eleazer Tyng for Sending Expreses for the Service of the Government amounting to Thirty four Shillings,

[Read, and]

Resolved that the Sum of Thirty four Shillings[1] be allowd & paid out of the Publick Treasury to Collo Eleazer Tyng in full Discharge of the said Accompt. [*Passed September 13.*

CHAPTER 214.

VOTE FOR GUNS &cA FOR THE DELEGATES.

Legislative Records of the Council, xii., 49.

House Journal, p. 68.

Ante, p. 354, chap. 199.

Voted That a Musquet with a Suitable quantity of Powder and Ball be Presented to Each of the Delegates now here in Lieu of those that are at Albany, design'd to be Presented to them. [*Passed September 16.*

[1] The House Journal reads, 35/.

CHAPTER 215.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF THE GARRISON AT S^T GEORGES RIVER.

A MUSTER ROLL of the Garrison in his Majesties service at the Block house at St Georges River under the Command of Lieut^t James Armstrong Containing an accompt of wages due to them for their service from Decem^r 19. 1722 to Aug^tt 16. 1723 Amounting to the sum of £433. 1. 9.

Legislative Records of the Council, xii., 49.

House Journal, p. 65.

[Read, Accepted And]

Resolved That the Sum of Four Hundred & Twelve Pounds three Shillings & nine Pence be allow'd & paid out of the Publick Treasury to the officers and soldiers born on the within Roll in full Discharge of the wages thereof agreeable to the Committees Report. [*Passed September 17.*

CHAPTER 216.

RESOLVE ALLOWING £19. 15. 8 TO ELISHA PLAISTED ESQ^R.

A PETITION of Elisha Plaisted Esqr Shewing that in the Year 1722 by order of Mr Treasurer Allen he Supply'd several soldiers in the service to the amount of £28. 11. 1 and that the Generall Court at their Session in Novem^r 1722 were Pleased to Stop the Payment of £19. 15. 8 of the said sum and therefore Praying for Reasons in his Petition that the Said sum may be allow'd him out of the Publick Treasury

Legislative Records of the Council, xii., 49.

House Journal, p. 64 (Jan., 1722); pp. 44, 56. *Ante*, p. 254, chap 281.

Read [Accepted] &

Resolved That Mr Treasurer Allen be Directed to make good & Allow the Petitioner in making up and Settling his accompt of Slops &c^a with him the Sum of Nineteen Pounds fifteen Shilling[1] & eight Pence for the Like Value delivered the Soldiers for the service of the Province as sett forth in the Petition. [*Passed September 17.*

CHAPTER 217.

RESOLVE FOR ADVANCING £300 FOR REPAIRS AT THE CASTLE & LIGHT HOUSE.

Resolved That Mr Treasurer Allen be directed to pay & advance to the Committee for Effecting Repairs at his Majesties Garrison at Castle William & the Light House the Sum of Three Hundred Pounds for that Service, The Committee to be accomptable for said Sum. [*Passed September 17.*

Legislative Records of the Council, xii., 49.

House Journal, p. 69. *Ante*, p. 300, chap. 32.

CHAPTER 218.

ORDER ON THO^S HASTINGS'S PETITION FOR ALLOWANCE TO HIM OF HIS SON'S WAGES.

A PETITION of Thomas Hastings of Newton Praying that he may be Impow'red to Receive of the Treasurer the wages due to his son John

Legislative Records of the

[1] *Sic.*

Council, xii., 50.

House Journal, p. 69.

Hastings (who died in the service) Carried out to him in the Muster Roll of Coll° John Wheelwright & Cp^t Daniel Pecker

Read &

Ordered[1] That the Prayer of this Petition be granted. [*Passed September 17.*

CHAPTER 219.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF COLL° THO^S WESTBROOKS COMP^A.

Legislative Records of the Council, xii., 51.

House Journal, p. 70.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Coll° Thos Westbrook, Containing an acco^t of Wages due to them for their service from Jan^ry 11. 1722 to Augt 29. 1723 Amounting to the sum of £942. 7. 9.

[Read, Accepted and]

Resolved that the Sum of Eight Hundred Ninety Six Pounds Thirteen Shillings & five Pence be allowd & paid out of the Publick Treasury to the Officers & Soldiers born on the within Muster Roll, (Agreeable to the Committees Report) in full Discharge of the wages thereof. [*Passed September 18.*

CHAPTER 220.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CP^T EDM^D WARDS COMP^A.

Legislative Records of the Council, xii., 51.

House Journal, p. 71.

A MUSTER ROLL of the Company in his Majesties service Eastward under the Command of Cp^t Edmund Ward, Containing an Acco^t of wages due to them for their said service from the 1st of Decem^r 1722 to ye 1st of Septem^r 1723 Amounting to the sum of £934. 5. 2.

[Read, Accepted And]

Resolved That the sum of Eight Hundred Eighty Seven Pounds, Six Shillings & two Pence be allow'd & paid out of the Publick Treasury to the Officers & Soldiers born on the within Muster Roll (agreeable to the Committees Report) in full Discharge of the Wages thereof. [*Passed September 18.*

CHAPTER 221.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CP^T JAC: TILTONS COMP^A.

Legislative Records of the Council, xii., 51.

House Journal, pp. 70, 71.

A MUSTER ROLL of the Company in his Majesties service Eastward under the Command of Cp^t Jacob Tilton Containing an Accompt of wages due to them for their said service from ye 15th of Novr to the 10th of Jan^ry following amounting to the Sum of £197. 15.

[Read. Accepted And]

Resolved That the sum of One Hundred eighty six Pounds two Shillings & Ten Pence be allow'd & paid out of the Publick Treasury to the officers & Soldiers born on the within Roll (agreeable to the Committees Report) in full Discharge of the Wages thereof. [*Passed September 18.*

[1] In the House Journal, "*Resolved.*"

CHAPTER 222.

RESOLVE ALLOWING £15. 15 TO SAM^L JORDAN.

A MEMORIAL of Samuel Jordan Praying an allowance for his service as Pilot of the forces under the Command of Coll^o Thomas Westbrook in their March to Penobscott Fort Last Winter

Read [Accepted] &

Resolved that the Sum of fifteen Pounds & fifteen shillings be allowd & paid out of the Publick Treasury to the Petitioner samuel Jordan in Consideration of the services within Mention'd. [*Passed September 18.*

Legislative Records of the Council, xii., 51.

House Journal, p. 72.

CHAPTER 223.

RESOLVE ALLOWING £76. 15. 1 TO COLL^O JOHN SCHYLER.

AN ACCOMPT presented by Coll^o John Schuyler of money disbursted for the expences of the Delegates, expresses & other things for the service of this Province amounting to the sum of £76. 15. 1.

[Read and]

Resolved that the sum of Seventy six Pounds fifteen Shillings & one Penny be Alowed and Paid out of the Publick Treasury to Coll^o John Schyler In full Descharge of this Accompt. [*Passed September 18.*

Legislative Records of the Council, xii., 52.

House Journal, p. 72.

CHAPTER 224.

RESOLVE ALLOWING £3 TO HEZ^K WRIGHT.

AN ACCOMPT of Hezekiah Wright for Coming Express from Northampton in the service of the Gover^nt & for his Return Home

[Read, and]

Resolved that the Sum of Three Pounds be Alowed and Paid out of the Publick Treasury to Coll^o Saml Partridge for the Use of the Said Hezkiah Wright In full Satisfaction for his Service as Above Mentiond. [*Passed September 19.*

Legislative Records of the Council, xii., 52.

House Journal, p. 73.

CHAPTER 225.

RESOLVE FOR ADVANCING £50 FOR THE DELEGATES EXPENCES HOME.

Resolved that the sum of Fifty Pounds be advanced & paid out of the Publick Treasury to Lieu^t Joseph Kellog for Defraying the Charges of the Delegates In their Return Home and he to be Accomptable for the Said Sum. [*Passed September 19.*

Legislative Records of the Council, xii., 53.

House Journal, p. 74.
Ante, p. 357, chap. 209.

CHAPTER 226.

RESOLVE ALLOWING £7. 8. 10 TO DISCHARGE COLL° JN° SCHYLERS 2D ACC°.

Legislative Records of the Council, xii., 53.

House Journal, p. 72. *Ante*, p. 361, chap. 223.

AN ACCOMPT of Coll° John Schyler of Expences on the Messengers Sent to Albany for him Amoun^g to the Sum of £7. 8. 10.

[Read, Accepted And]

Resolved That the Sum of Seven Pounds Eight Shillings & ten Pence be Alowed and Paid out of the Publick Treasury to the honb^le John Schyler Esqr In full Discharge of the Said Accompt. [*Passed September 19.*

CHAPTER 227.

VOTE FOR A PRESENT TO COLL° JN° SCHYLER.

Legislative Records of the Council, xii., 53.

Legislative Records of the Council, xii., 52. House Journal, p. 74. *Ante*, p. 332, chap. 124.

Resolved that the Sum of one Hundred Pounds be Alowed & Paid out of the Publick Treasury to the Honble Coll° John Schyler for his Good Services to this Province. [*Passed September 19.*

CHAPTER 228.

RESOLVE ALLOWING £10 TO LIEU^T JO^S KELLOG.

Legislative Records of the Council, xii., 53.

Ante, p. 361, chap. 225.

Resolved that the Sum of Ten Pounds be Alowed and paid out of the publick Treasury to Lieut^n Joseph Kellog in Consideration of his Extraordinary Services to this Province.[1] [*Passed September 19.*

CHAPTER 229.

RESOLVE ALLOWING 20SH. TO DOCT^R NATH^L WILLIAMS.

Legislative Records of the Council, xii., 53.

House Journal, p. 73.

AN ACCOMPT of Doct^r Natha^l Williams of Medcines and Attendance on the Indian Delegates Amoun^g to twenty Shill^gs

[Read, and]

Resolved that the Sum of Twenty Shillings be Allowed & Paid out of the Publick Treasury to Doct^r Nathl Williams In full Discharge of the Above Accompt. [*Passed September 19.*

CHAPTER 230.

VOTE FOR THREE SURGEONS IN THE SERVICE.

Legislative Records of the Council, xii., 54.

House Journal, p. 75.

Voted that there be but three Surgeons Detained In the Service & Pay of this Province to be Allowed five Pounds only pe^r Month Each. To be Posted one at York, one at Casco Bay and one at Brunswick at Fort George. [*Passed September 20.*

[1] Not found in the House Journal.

CHAPTER 231.

RESOLVE ALLOWING 30SH. TO CAPT EDMUND WARD.

AN ACCOMPT Presented by Edmund Ward of Transporting Provisions from Falmouth to Arowsick Amount^s to £1. 10.

[Read, and]

Resolved that the Sum of thirty Shillings be Alowed & Paid out of the publick Treasury to Capt Edmund Ward In full Discharge of the Said Accompt. [*Passed September 20.*

Legislative Records of the Council, xii., 54.

House Journal, p. 73.

CHAPTER 232.

VOTE FOR PUTTING THE PROVINCE SEAL TO THE TREATY W^TH THE DELEGATES OF THE EIGHT NATIONS.

WHEREAS this Court have Voted that Copies of what was Delivered at the Several Conferances had by this Government With the Delegates of the Eight Nations &c as well on the Part of the Govern^t as the Delegates & a Duplicate thereof be Delivered to the Deligates Under the Seal of the Province

Resolved that the Secretary be Directed. To Affix the Seal of the Province to the Coppy hereto Anexed & Deliver the Same forthwith to the Honble Coll^o John Schyler for the Use of the Delegates. [*Passed September 20.*

Legislative Records of the Council, xii., 54.

Legislative Records of the Council, xii., 50, 54. House Journal, pp. 72, 73, 76-84.

CHAPTER 233.

VOTES FOR PAYING MAQUAS FOR SCALPS.

WHEREAS this Govern^t have Engaged the Indian Maquas & Other Tribes to Carry on the War against the Eastern Indians & have Agreed that a Premium be given them for Scalps

Resolved That When any of those Tribes Appear and go out In that Service they be Supplyed with Provision and Amunition at the Charge of the Province Without Any Subduction or Allowance Therefor out of the Bounty for Scalps, That a Quantity of Goods Suitable for the Indians be sent up and Lodged In the Hands of Timothy Dwight of Northampton To the value of five hund^d Pounds, and that the Said Dwight Advise Mr Treasurer When the Said Goods or The Greatest Part of them Is Expended In order to his being further Supplyed, an Invoice with the Prime Cost to be Sent to Mr Dwight at all Times, and that he Make no Advance thereon. but In Case the Indians Should Desire to be Paid in money, that the said Dwight be Impowerd to Draw upon the Treasurer for such sums as may be Necessary for that End. the Said Dwight To be upon Oath for the faithfull Preformance of ye Duty hereby Enjoyned him And that When the Indians bring In any Scalps. into the County of Hampshire They Repair to Coll^o Saml Partridge Coll^o John Stoddard And Ebenez^r Pomroy Esqr and upon their or any two of Them Giving out a Certificate That According to such Evidence as they had Received. they Accounted the Scalps Presented to be the Scalps of the Enemy Indians. the Said Dwight Deliver to the Indians Such Sums In goods or Money as they are Intituled to. [*Passed September 20.*

Legislative Records of the Council, xii., 55.

House Journal, p. 76.

CHAPTER 234.

RESOLVE IN REGARD TO THE PAY OF FIELD OFFICERS OF THE GARRISON AT CASTLE W^M.

Legislative Records of the Council, xii., 55.

Legislative Records of the Council, xii., 13, 14, 40, 49. House Journal, p. 86.

Resolved that the Commission and Warrant Officers & Soldiers at Castle William be paid out of the publick Treasury In Manner folowing Viz^t The Capt one hundred & twenty five pounds p^r Annum The Lieutenant Seventy five Pounds p^r Annum The Gunner Fifty Pounds p^r Annum Six Quarter Gunners forty five Shillings Pr Month Each, Two Sergeants forty five shillings Pr Month Each Two Corporals & a Drummer thirty seven shillings p^r Month Each & Twenty five Private Centinals thirty Shillings P^r month And A Chaplain to be Allowed Sixty two Pounds Ten Shillings p^r Annum PROVIDED that on the Enlistment of the Said Gunners Serjants Coporals & Private Centinals they be Able Bodied Effective Men PROVIDED Also that this Duty be by the Afore mentiond Several Officers Preformd Viz^t That the Cap^tn be upon the Place at Least three Days In the week & as Often Else as Necessary Occasion Calls for him. Except In Case of Sickness or Something Extraordinary happening or Such other time or times as he may Obtain Leave of the Captain General or Commander In Chief for the time Being. That the Lieu^t be Constantly on the Place Except When he Shall have Leave from the Governour or Commander In Chief for the Time being or from The Cap^n of the Castle. That the Chaplain Read ye Scriptures & preform Daily Prayers Morning & Evening In the Chappel & Preach twice Every Lords Day Except In Case of Sickness or Absence by Leave of the Captain. That the Gunner Reside there. And that the Captain. and In his Absence the Lieut^n Take Effectual Care that the Officers & Soldiars there In Pay be Constantly Diciplined more Especially the Quarter Gunners. In order to Make them and the Men Expert in the Exercising the great Artillary in Levelling Traversing Loading & firing the Guns &c That so In Time they may be Capable of that Duty In Actual Service: and this Present Establish^mt to Commence from the making up of the Last Muster Roll of that Garrison & from thence to be of force & Virtue untill the time of four Years be Expired PROVIDED that it be made to Appear to this Court befor any Muster Roll for that Garrison be Passed for Payment that the Officers and Soldiars have Preformed the Service injoined by this Establishm^t and the former Establishm^t made In the Year 1710 is hereby Declared to be Null & Voide & at an End, And for the further Enconragement of the Warrent Officers & Soldiars that Shall Enlist In the Said garrison of so great Importance to this Government

It is hereby further

Resolved that the sum of Three Pounds with a Red Coat not Exceeding four Pounds Value Shall be Allowed to Each Good and Effective Able Bodied Man as Afores^d & no Other and that no Indian Negro or Mollatto (Except one Servant of the Captains) [1] be Enlisted or Retained In the Service at ye Castle and no Other man unless he be Sui Juris be Enlisted as Afores^d. [*Passed September 20.*

[1] Close of parenthesis from the State Library copy.

CHAPTER 235.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF THE COMPY UNDER THE COMD OF LIEUT WM HILTON DESD.

A MUSTER ROLL of the Company In his Majests Service Eastward under the Command of Lieutnt Wm Hilton Deacesd Contags an Accompt of Wages Due to them for their Said Service from Decr 12. 1722 to Septemr 13th 1723 Amoutgs to the Sum of £655. 9.

Legislative Records of the Council, xii., 57.

House Journal, p. 74.

[Read, Accepted And]

Resolved that the Sum of Six hundred forty Seven Pounds Nine Shillings be Allowed and Paid out of the Publick Treasury to the Heirs Executors or Administrators of the Said Wm Hilton Decsd the Officers & Soldiars Born on the within Muster Roll Agreeable to the Committe's Report. [*Passed September 20.*

CHAPTER 236.

RESOLVE ALLOWING £12. 8 TO COLLO THOS WESTBROOK.

AN ACCOMPT of Collo Thos Westbrook of Disburstments for Transporting Provisions Mending Whale boats, Oars &c Amounting to the sum of £12. 8.

Legislative Records of the Council, xii., 57.

House Journal, p. 73.

[Read, and]

Resolved that the sum of twelve Pounds Eight Shillings be Allowed & Paid out of the Publick Treasury to Collo Thos Westbrook in full Discharge of this Accompt. [*Passed September 20.*

CHAPTER 237.

RESOLVE ALLOWING 50SH. TO BRIANT TOOL.

AN ACCOMPT of Briant Tool of Time & Expence In Riding to York Express by order of the Government Amotg to £2. 10.

Legislative Records of the Council, xii., 57.

[Read And]

Resolved that the sum of fifty Shillings be Allowed & Paid out of the Publick Treasury to Briant Tool In full Discharge of the Within Accompt. [*Passed September 20.*

House Journal, p. 85.

CHAPTER 238.

RESOLVE ALLOWING £3. 9. 9 TO DISCHARGE BRIANT TOOLS 2D ACCOMPT.

AN ACCOMPT of Briant Tool for horse hire Time & Expence In Going Express to Kittery By Order of the Government Amounting to £3. 9. 9.

Legislative Records of the Council, xii., 57.

[Read, accepted and]

House Journal, p. 76.

Resolved the[1] the sum of three Pounds Nine Shillings & Nine Pence be Allowed and paid out of the Publick Treasury to Briant Tool In full Discharge of the Within Accompt. [*Passed September 20.*

[1] Written "that" in State Library copy, Legislative Records of the Council, xii., 56.

CHAPTER 239.

RESOLVE ALLOWING £2. 10. 8 TO JOHN AMES.

Legislative Records of the Council, xii., 57.

House Journal, p. 76.

AN ACCOMPT of John Ames of Time Horsehire & Expence In Going Express from Boston to Dunstable Dracut Haveril & Almsbury

[Read, Accepted And]

Resolved that the Sum of Two Pounds Ten Shillings & Eight Pence be Allowed and Paid out of the Publick Treasury to John Ames In full Discharge of the Said Accompt. [*Passed September 20.*

CHAPTER 240.

RESOLVE ON THE ACCOTT OF YE PRESENT MADE TO YE DELEGATS OF THE EIGHT NATIONS.

Legislative Records of the Council, xii., 58.

House Journal, p. 85. *Ante*, p. 354, chap. 199; p. 358, chap. 214.

AN ACCOMPT Presented by Wm Taylor Esqr from the Committe of Both houses Appointed to Prepare a Present for the Indian Delegates. Of the Several Articles of the Said Present Amounting to the Sum of £486. 6. 9.

[Read And]

Resolved that the Sum of four hundred & Eighty Nine Pounds fifteen[1] Shillings & Nine Pence be Allowed & Paid out of the Publick Treasury to Mr Ezekiel Lewis to be by him Repaid to the Several Persons to Whome the same is Respectively Due as by their particular Accompts Referd to in ye Within Accompt and is In full Discharge of this Accompt. [*Passed September 20.*

CHAPTER 241.

RESOLVE ALLOWING 17SH. 8 TO FRANCES HOLMES.

Legislative Records of the Council, xii., 58.

House Journal, p. 88.

AN ACCOMPT of Frances Holmes of the Expence of Several Comittees of the General Court Amounting to Seventeen Shillings & Eight Pence

[Read, And]

Resolved that the Sum of Seventeen Shillings & eight Pence be Allowed and paid out of the publick Treasury to the Accompt Frances Holmes In full Discharge of the Above Accott. [*Passed September 20.*

CHAPTER 242.

RESOLVE ALLOWING 46SH. TO JONA POLLARD.

Legislative Records of the Council, xii., 59.

Mass. Archives, lxxii., 115. House Journal, p. 85.

AN ACCOMPT of Jonathan Pollard of the expences of a Committe of the General Court on the Affairs of ye Delagates Amounting to £2. 6.

[Read And]

Resolved that the Sum of forty Six Shillings[2] be Allowed & Paid out of the Publick Treasury to the Accomptant Jonn Pollard in full Discharge of the Above Accompt. [*Passed September 20.*

[1] The House Journal reads, £489. 6. 9.
[2] The House Journal reads, 46/ 5.

CHAPTER 243.

RESOLVE ALLOWING £8 TO JAMES BRENTNAL.

A PETITION of James Brentnal Praying that he may be Allowed his wages in Coll° Westbrooks Muster Roll which were Stoped in the Treasury upon The acco^tt of the Petitioners having one of the Province Arms in his hands which is now Returned as appears by the Treasurers Certificate

Legislative Records of the Council, xii., 59.

House Journal, pp. 70, 86.

Read &

Resolved That the Prayer of the Petition be Granted And that the Treasurer be Directed to Pay the Petitioner Eight Pounds Accordingly. [*Passed September 20.*

CHAPTER 244.

RESOLVE ALLOWING 42SH. TO JN° FLAGG.

AN ACCOMPT of John Flagg of his Time & Horse hire In Summoning Several Members of his Majesties Council &c Amounting to the sum of £2. 2.

Legislative Records of the Council, xii., 58.

[Read And]

House Journal, p. 88.

Resolved that the Sum of forty two Shillings be Allowed & Paid out of the Publick Treasury to John Flagg In full Discharge of the Above Accompt. [*Passed September 21.*[1]

CHAPTER 245.

RESOLVE ALLOWING £13. 10. 6 TO RICH^D HALL.

AN ACCOMPT Presented by Richd Hall of the Expence of Several Comm^ttes of the General Court this Session Amounting to the sum of £13. 10. 6.

Legislative Records of the Council, xii., 58.

[Read and]

House Journal, p. 88.

Resolved that ye Sum of thirteen Pounds Ten Shillings & Six Pence be Allowed and Paid out of the Publick Treasury to Richard Hall the Accomptant In full Discharge of the Above Accompt. [*Passed September 21.*[1]

CHAPTER 246.

VOTE ABOUT THE TWO PRECINCTS IN WEYMOUTH.

WHEREAS this Court in Their Session Last Novr Did by a Vote of the 20th of ye Said Month set off a Precinct at the south Part of Weymouth as in Said vote is Butted & Bounded but Some Misconstruction is Since made of those Bounds To the Southward of Mr Blanchards

Legislative Records of the Council, xii., 59.

House Journal, p. 64.

Ordered that the Line & Bounds of said Precinct Be Run According to the trew Intent & Meaning as was Determined by the Committe that

Ante, p. 220, chap. 175.

[1] This date is according to the House Journal; according to Legislative Records of the Council, xii., 58, the date is September 20.

Run Said Line and that John Quincy & Joseph White Esq^{rs} with Two Persons to be Chosen out of each Precinct by the Inhabitants Thereof be a Committee to Run the said line & Return the same In the Town & New Precinct Books. [*Passed September 21.*

CHAPTER 247.

RESOLVE ALLOWING £5. 8. 8 TO JOS^{H} PLUMMER.

Legislative Records of the Council, xii., 60.

House Journal, p. 75.

A PETITION of Joseph Plummer Praying an Allowance for sundry Provisions by him Supplyed Lieu^{t} Wm Hilton & Company at Scarborough, As Appears by The Officers Certificate

Read [Accepted] &

Resolved That the sum of Five Pounds eight Shillings & eight Pence be Allowed & Paid out of the Publick Treasury to Joseph Plummer the Petitioner In full Discharge of the Stores Supplied & Mentioned In his Petition. [*Passed September 21.*

CHAPTER 248.

RESOLVE ON ACCO^{TT} OF EXPENCES AT THE CASTLE.

Legislative Records of the Council, xii., 60.

Legislative Records of the Council, xii., 44 *bis*. House Journal, p. 87.

AN ACCOMPT presented by Coll^{o} Wm Tailer of expences at Castle William in Entertaining the Indian Delegates Amounting to £38. 1.

[Read, and]

Resolved that ye Sum of thirty eight Pounds one Shilling be Allowed & paid out of the publick Treasury to the Honb^{le} Wm Tailer Esqr to be by him Repaid to the several Persons to Whome the same is Respectively Due (as by their Notes &c Referd to In the Above Acco^{tt}) and is in full Discharge of the Same. [*Passed September 21.*

CHAPTER 249.

VOTE FOR A PUBLICK FAST.

Legislative Records of the Council, xii., 61.

House Journal, p. 88. Love's Fast and Thanksgiving Days of New England, p. 490.

Voted that there be a Day Sett apart for publick prayer with fasting to Implore ye favour of Almighty God towards this Province Under Our Present Dificulties, More Especially with Respect to the present Distressing War with the Indian Rebels. And that his Honour the Lieut^{n} Governour. with the Advice of the Council be Desired to Appoint the Day. [*Passed September 21.*

CHAPTER 250.

VOTE THAT COMMANDERS OF FORTS &c GIVE AN ACCO^{TT} OF STORES.

Legislative Records of the Council, xii., 61.

House Journal, p. 88.

WHEREAS the sundry Forts & Garrissons that are Maintained at the Charge of this Province do Demand Large Quantaties of stores of war & Other Necessarys & no Account Given to this Court How They are Expended

Resolved that the Commanding Officer of each fort or garrisson do prepare A true Inventory of all the stores belonging to the several garrissons Under Their Command, and Transmit the same to the Treasurers Office. to be by him Laid before this Court at their Next Session. In order to their being Supplyed with what may be then Deemed Necessary; and the afores[d] Officers & Their Successors do twice a Year at the Least send an Accompt of the expence of the Stores under their Care as Afores[d]. [*Passed September 21.*

CHAPTER 251.

VOTE FOR BUYING GUN POWDER.

Legislative Records of the Council, xii., 61.

House Journal, p. 70.

Resolved that the Treasurer be Directed to Purchace thirty Barrells of the best Gun Powder he Can meet with for the Use of the Marching forces only. [*Passed September 21.*

CHAPTER 252.

RESOLVE ON ACCO[T] OF THE CHARGE OF ENTERT[G] THE DELEGATES &c.

Legislative Records of the Council, xii., 61.

House Journal, p. 87.

Ante, p. 342, chap. 158.

AN ACCOMPT Presented by Addington Davenport Esq[r] of Provisions House Rent Shirting &c for the Indian Delegates & for the Charge of Silver Plates Presented to them Amounting to the sum of £483. 18. 8.

[Read And]

Resolved that the Sum of four hundred & Eighty three Pounds Eighteen Shillings & eight Pence be Allowed & Paid out of The Publick Treasury to the Honb[le] Addington Davenport. & Thomas Fitch Esq[rs] to be by them Repaid to the several Persons to Whome the same is Respectively Due (as by Their Particular Accompts referd to in this Accompt) in full Discharge of the same. [*Passed September 21.*

CHAPTER 253.

RESOLVE ALLOWING LEWIS LE TRAIL £8.

Legislative Records of the Council, xii., 62.

House Journal, p. 89.

A CERTIFICATE under the hand of Cap[t] Thomas Durrell that Lewis Le Trail preformd the service of a Pilot Extra of his Majesties Ship Sea horse under his Command for the Space of two Months the Last summer and a Certificate under the hand of the Secretary that the said Le Trail received a Warrent from his Honour the Lieu[t] Gover[r] for that Office

Read &

Resolved that the sum of eight pounds be allowed & paid out of the Publick Treasury to M[r] Lewis Le Trail in full of his Service as Pilot Extra as Afores[d]. [*Passed September 21.*

CHAPTER 254.

VOTE FOR SEND^G AMUNITION TO HAMPSHIRE.

Legislative Records of the Council, xii., 62.

House Journal, p. 75.

A MEMORIAL of Coll^o Saml Partridge Praying That a Sufficient Quantity of Powder & other Ammunition be sent into the County of Hampshire

[Read and]

Resolved that the Treasurer be Directed to send six barrells of good Gun Powder & a Proportionable Quantity of Lead & flints to Coll^o Saml Partridge at Hatfield for the Use of the forces that may be Employed in the service of the Province on the Western Frontiers, thesaid Coll^o Partridge to be Accomptable for the same. [*Passed September 21.*

CHAPTER 255.

RESOLVE ALLOWING £10 TO JACOB TILTON.

Legislative Records of the Council, xii., 63.

House Journal, p. 75.

A PETITION of Jacob Tilton Praying an Allowance as Pilot to the forces under the Command of Coll^o Thomas Westbrook in their March to Penobscot Fort the Last winter

Read &

Resolved that the sum of Ten Pounds be Allowed and paid out of the publick Treasury to Capt Jacob Tilton in full of his Service Mentioned in his Petition. [*Passed September 21.*

RESOLVES, ORDERS, VOTES, ETC.

Passed at the Session begun and held at Boston, on the Twenty-third Day of October, A.D. 1723.

CHAPTER 256.

THANKS GIVING APPOINTED.

Legislative Records of the Council, xii., 70.

Executive Records of the Council, vii., 540. Love's Fast and Thanksgiving Days of New England, p. 490.

The Secretary Laid before the Board the Draught of a Proclamation for a General Thanks Giving to be Observed Thrô out this Province upon thursday the twenty eighth Instant Which was Read and

Advised that his Honour Issue out the said Proclamation Accordingly. [*Passed* November 6.*

CHAPTER 257.

RESOLVE ALLOWING £2. 3. 6 TO ZACHARIAH HICKS.

Legislative Records of the Council, xii., 70.

House Journal, p. 6.

An Accompt of Zachariah Hicks for Riding Express from Boston to Wells in the Sevice of the govern^t Amount^g to £2. 3. 6.

[Read, and]

Resolved that the sum of Two Pounds three Shillings & Six Pence be Allowed & Paid out of the Publick Treasury to the Accomptant Zachariah Hicks In full Discharge of the Said Accompt. [*Passed November 6.*

CHAPTER 258.

ORDER ON THE PETITION OF SAM^L COMESTOCK & HIS ASSOCIATES FOR CONFIRMING TITLE TO LANDS.

Legislative Records of the Council, xii., 71.

House Journal, p. 16 (Aug.); pp. 6, 7. *Ante*, p. 300, chap. 31.

A Hearing having been had Yesterday before the House on the Petition of Samuel Comestock & his Associates and after Some Debate Thereon

Ordered that upon a Good & Lawfull Release & Quit Claim from the Govern^mt of the Colony of Rhode Island & Providence Plantation[1] well Executed to this Province of the Mile to the northward of the Colony Line the Nine Hundred Acres Petitoned for by the said Comestock & Others as Laid out to them. be & hereby is Confirmed to them their Heirs & Assigns forever. Provided it exceed not the Quantity & Does not Infringe upon any former Grant of this Govr^mt provided also that the grant of nine hundred Acres to the Said Comestock & his Associates by this Court In their Last may Session in Satisfaction of their Petition be Declared null & void & of none Effect to all Intents & Purposes. [*Passed November 7.*

[1] The House Journal reads, "The Town of *Providence*."

CHAPTER 259.

ORDER APPOINTING SAM^L THAXTER OF Y^E COMM^TTE.

Legislative Records of the Council, xii., 73.

House Journal, p. 7. *Ante*, p. 231, chap. 206.

ON THE PETITION of Thomas Drury [for liberty to purchase lands of the Indians at Hassanimisco]

Ordered that Samuel Thaxter Esqr be added to the Committee in the room of Thomas Fitch Esqr and that they make Report to this Court at or before their Session in May Next. [*Passed November 8.*

CHAPTER 260.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE SLOOP ENDEAVOUR CAP^T JOSEPH MAJORY.

Legislative Records of the Council, xii., 75.

Legislative Records of the Council, xi., 572. House Journal, p. 9. *Ante*, p. 290, chap. 11. *Infra*, chap. 261.

A MUSTER ROLL of Capt Joseph Majory Commander of the Sloop Endeavour[1] appointed a Guard Vessell for the fishery Cont^g an Accompt of Wages Due to Him & his Company for their Service from June 15th 1723 to the 2^d of October following Amouting to the Sum of £195. 5. 1.

[Read Accepted And]

Resolved that the sum of one Hundred & Ninety five Pounds five Shilling[2] & one Penny be Allow^d & Paid out of the Publick Treasury to the said Joseph Majory & the men Born on the Within Roll In full Discharge of the Wages thereof. And that the further Sum of Seventy five Pounds two Shillings & ten Pence be Allowed & Paid out of the Publick Treasury to the said Majory for so much Supplied the Men in full Discharge of the Like Sum as Enter'd on the within Roll, in the Commissary's Colmn. [*Passed November 14.*

CHAPTER 261.

RESOLVE ALLOWING £3. 14. 6 TO CAP^T JOS^E MAJORY.

Legislative Records of the Council, xii., 75.

House Journal, p. 9. *Supra*, chap. 260.

AN ACCOMPT Presented by Capt Joseph Majory of Disburstm^ts on the Sloop Endeavour under his Command[1] Amount^g to the sum of £3. 14. 6.

[Read and]

Resolved that the sum of Three Pounds fourteen Shillings & Six Pence be Allowed & Paid out of the Publick Treasury to Capt Joseph Majory In full Discharge of his Disburstments, as Mention'd in the within Accompt. [*Passed November 14.*

CHAPTER 262.

RESOLVE ALLOWING 43/ TO SAM^L GOOKIN ESQ^R.

Legislative Records of the Council, xii., 76.

AN ACCOMPT of Saml Gookin Esqr Sheriff of the County of Middlesex for Impressing Horses & Accompanying the Delegats of the six Nations &c

[1] According to the House Journal John Tappan was commander of the sloop Endeavour. So also according to Legislative Records of the Council, xii., 89. Capt. Majory was in command of a company on the Endeavour.—House Journal, p. 7.

[2] *Sic.*

[Read, and]
Resolved that the Sum of forty three Shillings be Alowed & Paid out of the Publick Treasury to Mr Sheriff Gookin in full Discharge of the Said Accompt. [*Passed November 14.*

Legislative Records of the Council, xii., 16. House Journal, p. 9.

CHAPTER 263.

RESOLVE ALLOWING 30/. TO PETER RICE.

An Accompt of Peter Rice for going express from Marlboro To Brookfield by order of the Government
[Read and]
Resolved that the sum of Thirty Shillings be allowed & Paid out of the Publick Treasury to Mr Caleb Rice for the use of the Accomptant In full Discharge There of. [*Passed November 15.*

Legislative Records of the Council, xii., 78.

House Journal, p. 10.

CHAPTER 264.

RESOLVE ALLOWING £4. 6 TO CAPT PETER NEWELL.

An Accompt of Capt Peter Newell of going express to Berwick by order of the House Amountg to the sum of £4. 6.
[Read And]
Resolved that the sum of four Pounds Six Shillings be Allowed & Paid out of the Publick Treasury to Capt Peter Newell In full Discharge Thereof. [*Passed November 15.*

Legislative Records of the Council, xii., 78.

House Journal, p. 11.

CHAPTER 265.

RESOLVE ALLOWING 23/. TO LUKE SMITH.

An Accompt of Luke Smith for Dieting Several Mohawks Subsisting Soldiers &c amounting to the sum of £1. 3.
[Read and]
Resolved that the sum of twenty three Shillings be Allowed & Paid out of the Publick Treasury to Mr Luke Smith In full Discharge of this Accompt. [*Passed November 15.*

Legislative Records of the Council, xii., 78.

House Journal, p. 12.

CHAPTER 266.

RESOLVE ALLOWING £100 FOR RAILING ON BOSTON NECK.

Resolved that Mr Treasurer be Directed to Pay to William Payne Esqr the sum of one hundred Pounds to Defray the Charge of Railing in the way over Boston Neck. The Committee appointed the Nineteenth[1] of August Last Past for that Service to be Accomptable for the Sum Aforesd. [*Passed November 15.*

Legislative Records of the Council, xii., 78.

House Journal, p. 7. *Ante*, p. 332, chap. 121.

[1] The House Journal reads, "the 10th."

CHAPTER 267.

RESOLVE ALLOWING £36 FOR THE USE OF CHRISTIAN & OTHER MAQUAS.

Legislative Records of the Council, xii., 78.

House Journal, pp. 12, 13.

A PETITION of Christian (a Maqua Indian) Praying an Allowance for himself & five others of his Tribe, that were in An Engagement with the enemy Indians at a Place above Richmond where he Supposes they Killd one of the enemy.

[Read and]

Resolved that the sum of thirty five Pounds be Allowed & Paid out of the Publick Treasury for the Use of the six Maquas who were In the Engagement Lately Had against the Indian Enemy Above Richmond Fort In Equal Proportion for their good Services; What was Deliverd to those already gone to albany to be accounted Part of the said sum. and that the further sum of seven Pounds ten Shillings be Allowed & Paid out of the Publick Treasury to the three Maquas Christian Isaac & Austaganuck In Consideration of the wages Due to them for service under Capt Daniel Pecker The money to be made Payable to John Stoddard Esqr Who is hereby Impowered & Desired to pay the same Accordingly. [*Passed November 15.*

CHAPTER 268.

RESOLVE ON PETITION OF Y^E TOWN OF BARRING^ON IN REGARD TO TAXES OF LANDS OF INHABITANTS OF REHOBOTH.

Legislative Records of the Council, xii., 79.

House Journal, p. 41 (June); pp. 9, 10. Province Laws, ix., 563, chap. 114.

A PETITION of Josiah Torry Agent for the Town of Barrington Shewing that the Medow Lands in the said Township are In Part owned by the Inhabitants of Rehoboth, and being taxed by the Assessors of Barrington the proprieters Refuse to Pay the said Taxes Pretending an Agreement between Rehoboth & the town of Swansey (of which Barrington was Lately a Part) which exempts them from the said taxes & that by their Refusal the town of Barrington as well as their Constables ly under great Inconviences & therefore Praying that this Court would enable the Constable of the town of Barrington to Receive of the Said Proprieters the arrears of Rates Due from them & their Proportion of other taxes for the future

Read & In Answer to this Petition

Resolved that all the Lands and Meadows lying & Being within the township of Barrington be Henceforward Assess'd to all Rates & taxes whatsoever in Barrington only and that all the Lands and Meadows Lying & being within the Township of Rehoboth be henceforward Assess'd In all Rates & Taxes whatsoever in the said town of Rehoboth only. Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed November 15.*

CHAPTER 269.

ORDER ON JOS' MILLERS PETITION IN REGARD TO PROCEEDINGS ON A RECOGNIZANCE.

A Petition of Joseph Miller of Springfield Shewing that he had Recognized in the sum of Fifty Pounds to Appear as a Witness for the King at a Court of Assize & General Goal Delivery held for the County of Hampshire In the Year 1721 & through his Ignorance & Mistake he made Default of Appearence so that a Writ of Scire facias is Issued out Against him on his Said Recognizance but Judgement not Yet Rendred, And Praying that the Proceedings against him upon the said Recognizance may be Staid & Declared to be Null & Void

Legislative Records of the Council, xii., 80.

House Journal, p. 15.

Read &

Ordered that the Prayer of this Petition be granted. [*Passed November 16.*

CHAPTER 270.

ORDER ON REPORT FOR REMOVING SUDBURY MEETING HOUSE.

In Obediance to the order of the great & General Court Bearing Date August 1723 The Committee appointed to Repair to the east Precinct In sudbury. To Consider & Report whither it will be most reasonable to remove the Meeting House There. and to What Place. If it be removed, or Whether the Farmers Petitioners ought to be taken from Sudbury & Put to Natick Having View'd the Said Precinct & Maturely Considered the Circumstances of the whole Town with regard to the support of both ministers out of a Joint Stock & the Accomodations both of the farmers & the major Part of ye East Precinct, Are Humbly of Opinion That the said Meeting House be removed about a Mile South east from the Place where it now stands, to the Land of Mr James Ross & to be Placed as Nigh to the Meeting of the four Roads as the ground will admit. and In Consideration of the Great Expence the Town have been at In Building a Meeting House on the Westerly Side of the river are further of opinion that the town be allowed the space of eighteen Months to Compleat the said work

Legislative Records of the Council, xii., 80.

House Journal, p. 15.
Ante, p. 339, chap. 149.

In Council Read &

Ordered that this Report be Accepted & that the east meeting house in Sudbury be removed Accordingly

In the House of Represent^s Read & Concurd & And[1] that the town of Sudbury shall Pay the Whole Charge that shall Arise In Removing the meeting House: togather with the sum of Seven Pounds seventeen shillings & nine Pence to the Committee for their Time & Expence

In Council Read & Concurd. [*Passed November 16.*

CHAPTER 271.

RESOLVE DISCHARGING JOS^H KELLOGS ACC^O OF £50 ADVANCED TO HIM.

An Accompt of Joseph Kellog for Disburstments on the Indian Delegates in their Return to Albany Amounting to the sum of £50 So much being Advanced to him at the Last Session for that Use

Legislative Records of the Council, xii., 82.

[1] *Sic.*

House Journal, p. 14. *Ante*, p. 361, chap. 225. *Infra*, chap. 272.

Read &

Resolved that the within Accompt be Accepted, & that the within Named Joseph Kellog be & hereby is Discharged from Rendering any further Accompt of the fifty Pounds Advanced to him the nineteenth Day of Septr Past for Defraying the Charges of the Delegates In their Return Home. [*Passed November 19.*

CHAPTER 272.

RESOLVE ALLOWING £10 TO DANIEL BAGG ON JOS^E KELLOGS ACC^O OF DISBURS^S.

Legislative Records of the Council, xii., 82.

House Journal, p. 14. *Supra*, chap. 271.

AN ACCOMPT of Joseph Kellog of the Charge of Hiring Horses &c for the Indian Delegates In their Journey Amounting to the sum of £10.[1]

[Read and]

Resolved that the sum of Ten Pounds[2] be Allowed & Paid out of the Publick Treasury to Mr Daniel Bagg to be by him Repaid to the Several Persons to whome it is Due. as Inserted in the within Accompt. [*Passed November 19.*

CHAPTER 273.

RESOLVE ALLOWING £5. 15 TO PHILIP MAC CANTIRE.

Legislative Records of the Council, xii., 83.

House Journal, p. 17. *Ante*, p. 365, chap. 235.

A PETITION of Philip Mac Cantire Shewing that by Mistake he was Left out of Lieu^t William Hiltons Muster Roll. Though there is Due to him for his Service under the said Hilton the sum of five Pounds fifteen Shillings. Praying that the said sum may be Allowed to him

Read &

Resolved that the sum of five Pounds fifteen Shillings be Allowed & Paid out of the Publick Treasury to the Petitioner Philip Mac Cantire in full for his Service as a Soldier from the Second of Febu^y to the 29th[3] of April being Omitted In the Last Muster Roll of Lieu^t William Hilton. [*Passed November 19.*

CHAPTER 274.

ORDER ALLOWING ACC^O OF THE CO^Y TREASURER OF BRISTOL.

Legislative Records of the Council, xii., 83.

AN ACCOMPT of Nathl Payne Esqr Treasurer of the County of Bristol Ending Octo^r 9th 1723 Having been Inspected by ye Court of General Sessions of the Peace for the said County & by them Pass'd & Allowed

Read &

Ordered that this Accompt be Allowed.[4] [*Passed November 19.*

[1] The House Journal adds, "and an Accompt of Charge of *Timothy Dwight* for his Attendance on the Delegstes."

[2] The House Journal reads, £10. 6. 6.

[3] The House Journal reads, "the Twenty-third of *April*."

[4] Not in the House Journal.

CHAPTER 275.

RESOLVE ALLOWING £20 TO Mr HUGH HENRY AS MINISTER OF SCARBORÔ.

A Petition of Mr Hugh Henery Praying some Consideration from this Court for his Service as Minister of the Town of Scarbrô The garrison Soldiers there having had the Benefit thereof. And the Inhabitants being so Reduced by the war that they are not Capable of Supporting him

Read &

Resolved that In Consideration of the p[r]esent Indian War, which has Reduced the Inhabitants of Scarborô to Low Circumstances & their willingness to Support the gospel Ministry amoung them so far as they are able & further to Encourage in so good a Design. The sum of twenty Pounds be Allow'd & Paid out of the Publick Treasury to Mr Hugh Henery In Answer to his Memorial. [*Passed November 20.*

Legislative Records of the Council, xii., 84.

House Journal, p. 19.

CHAPTER 276.

RESOLVE ON DIGHTON PETITION IN REGARD TO THE TOWN BOUNDS.

On the petition of Edward Shove for the town of Dighton [in regard to the town bounds]

A Hearing having been Yesterday had before the Whole Court on this Petition

Resolved that the Prayer thereof be so far granted, that the survey return'd by Samll Thaxter Esqr and Others (a Committee of this Court) and Accepted be not Deemed or Look'd upon as the Definitive or the Determined bounds of the town of Dighton or any other Township therein Concern'd nor to Effect the Propriety of the Lands of either of the said towns or Particular persons; Saving also the right of the province to the Gore or outlet Survey'd &c or any Part thereof. If the same have not been well & Legally Granted by this Court or the General Court of Plymouth. [*Passed November 21.*

Legislative Records of the Council, xii., 85.

Legislative Records of the Council, xii., 84. House Journal, p. 22. *Ante*, p. 353, chap. 197.

CHAPTER 277.

RESOLVE AS TO ESTABLISHMENT OF WAGES SUBSISTANCE HORSE HIRE & FORRAGE FOR TROOPERS.

Resolved that there be Allowed & Paid out of the publick Treasury to every Captain of a Troop in the Service of the Province, for his wages, one Pound fifteen Shillings, for his Subsistance five Shillings; for his horse three shillings & Six Pence for keeping his horse three Shillings & Six Pence pr week; which is in the Whole two Pounds Seven Shillings Pr week; to a Lieutenant for his wages one Pound. for Subsistance Horse & Pasturing twelve Shillings, Being in the whole one Pound twelve Shillings per week; to a Cornet for Wages Subsistance. Horse & Pasturing one Pound nine Shillings & Six Pence Per week, To a Quarter master for Wages Subsistance Horse & Pasturing.

Legislative Records of the Council, xii., 86.

House Journal, p. 21.

one Pound seven Shillings P^r week. To a Clerk Corporal & Trumpeter each one Pound four Shillings Per Week. to each Centinal one Pound two Shillings P^r week. [*Passed November 22.*

CHAPTER 278.

ORDER IMPOWERING DEBORAH NICKERSON AND HER BROTHER TO ACT AS ATTORNEYS FOR THE ESTATE OF HER HUSBAND.

Legislative Records of the Council, xii., 86.

House Journal, p. 17.

A PETITION of Deborah Nickerson of Harwich. Shewing that her Husband Nicholas Nikerson had the Misfortune to be taken by the Pyrates in June 1722 & not since heard of, that there are Considerable Debts Due to the estate of her Said Husband & other Debts owing out of the said Estate to Sundry Persons, Whome She is Desirous to have Satisfyed in their Just Demands & therefore Praying that She with her Brother Ebenezer Nickerson may be appointed Attorneys to her said Husband & Impower'd to Demand & Receive what is Due to the said Estate & Pay what is Due from it

Read &

Ordered that the Petitioner Deborah Nickerson with the Aforesaid Ebenezer Ebenezer[1] Nickerson be & hereby are Authorised & Impowred to Demand Recover & Receive any Sum or Sums of money that may be Due from any Person or Persons to the said Nicholas Nickerson and also that the said Attorneys shall be Obliged to pay any Just Debts that may be Due from the said Nicholas Nickerson so far as his Estate may be Sufficient to Respond the same. & take & Give Proper Discharges In the Law till his Return or that Account may be had of his Death, any Law Usage or Custom to the Contrary Notwithstanding. [*Passed November 22.*

CHAPTER 279.

RESOLVE ON PETITION OF THE SELECT MEN OF SCARBOROUGH IN REGARD TO SUPPORT OF THE MINISTRY.

Legislative Records of the Council, xii., 87.

House Journal, p. 45 (June); p. 19. *Ante*, p. 377, chap. 275.

A PETITION of the Select men of the Town of Scarborough Shewing that the Inhabitants of the said Town are much Impoverish'd by the war & not Capable of supporting the Minister they have among them without some Relief & Assistance from the Goverm^t And therefore Praying this Court would Impower them to Lay a tax of three pence or four Pence an Acre on all the Lands in the said Town.

Read &

Resolved that the Select men of the Town of Scarborough be & hereby are Authorized & Impowered to Assess & Lay a Tax of four Pence per Acre Per Anum on all Salt Marsh other Meadow & Improved Land Lying & Being in the Township of Scarborough, belonging either to the Residents or Non Residents thereon for the term of seven Years next ensuing for the Support & Maintenance of the ministry there. Any Law Usage or Custom to the Contrary Notwithstanding. And that the Petitioners be enabled to bring In a Bill Accordingly. [*Passed November 22.*

[1] *Sic.*

CHAPTER 280.

ORDER ON THE PETITION OF THE SELECTMEN OF LIECESTER IN REGARD TO SUPPORT OF THE MINISTRY.

A PETITION of John Menzies & others Select Men of the Town of Leicester. Shewing that the Inhabitants of the said town are put to Difficulty as to the Support of the Ministry among them. Having had but Little Assistance from the Proprieters. who held Considerable Tract of unimproved Lands, Which Increases in its Value by the Settlement of a Minister. and therefore Praying that they may be Impowred to Assess & Levey a Tax of one half Penny Per Acre on all the Lands within the said Township to be Employed. for the Support of the Ministry Among them

Legislative Records of the Council, xii., 88.

House Journal, p. 22.

Read &

Ordered that the Select Men of the Town of Leicester Shall be & hereby are Impowred to Levy a Tax of one half Penny per Acre pr. Annum on all the Lands within the Township for the term of three years the present Year Included for Defraying the Minesterial Charge in the said town. [*Passed November 22.*

CHAPTER 281.

RESOLVE ALLOWING £5 TO HUGH PIKE.

A PETITION of Hugh Pike. Shewing that he has no Prospect of being Cured of Wounds he Rec[d] in the service against the Indian Enemy & is not Capable of working for the support of himself & family. and therefore Praying that the Court would grant him some further Allowance the Last being Five Pounds Less than he has Usually had

Legislative Records of the Council, xii., 88.

House Journal, p. 23.

Ante, p. 125, chap. 61; p. 296, chap. 20.

Read &

Resolved that the Sum of five Pounds be Allowed & Paid out of the Publick Treasury to the Petitioner Hugh Pike in Answer to his Petition. [*Passed November 22.*

CHAPTER 282.

RESOLVE ALLOWING £6 TO THO[S] HOLT AND £1 TO JOSEPH LIVERMORE.

A PETITION of Thomas Holt Praying an Allowance for Damage Done to one of his Horses impress'd in the Publick Service

Legislative Records of the Council, xii., 88.

Read &

Resolved that the Sum of Six Pounds be Allowed & Paid out of the Publick Treasury Treasury[1] to the Petitioner Tho[s] Holt. Three Pounds Whereof is for Damage Done to his horse and that the sum of twenty Shillings be further Allowed & Paid out of the Publick Treasury to M[r] Joseph Livermore for Keeping the said Horse & is in Answer to the said Petition. [*Passed November 22.*

House Journal, p. 23.

[1] *Sic.*

CHAPTER 283.

RESOLVE ALLOWING £37. 15 TO CAPT JOHN ASHLEY.

Legislative Records of the Council, xii., 89.

House Journal, p. 23.

AN ACCOMPT Signed John Ashley of Divers sums Due to several Persons in the County of Hampshire for Horse Hire. Expences on the Delegats &c amounting to the sum of £41. 1. 6.

[Read, Accepted and]

Resolved that the sum of thirty Seven Pounds fifteen Shillings be Allowed & Paid out of the Publick Treasury to the Accomptant John Ashley In full Discharge of this Accompt Agreeable to the report of the Committee thereon. [*Passed November* 22.

CHAPTER 284.

RESOLVE ALLOWING £8. 12 IN DISCHARGE OF EBENR POMROYS ACCOTT.

Legislative Records of the Council, xii., 89.

House Journal, p. 21.

AN ACCOMPT of Capt Ebenezer Pomroy for Horse Hire Ferryage &c of Troopers in the publick Service Amountg to the sum of £8. 12.

[Read, Accepted and]

Resolved that the sum of Eight Pounds twelve Shillings be allowed & Paid out of the Publick Treasury to John Stoddard Esqr to be by him repaid to the several Persons to Whom the same is Respectively Due as by the within Accompt In full Discharge thereof. [*Passed November* 22.

CHAPTER 285.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF JOHN TAPPAN MASTER OF SLOOP ENDEAVOUR.

Legislative Records of the Council, xii., 89.

House Journal, p. 8.

Ante, p. 372, chap. 260.

A MUSTER ROLL presented by John Tappan Master of the Sloop Endeavour Contaning an Accompt of wages Due to the Officers & Seamen belonging to the said Sloop from June 15th to Octor 2d 1723 and the Hire of the said Sloop the said time amountg to the sum of £201. 7. 6.

Read [Accepted] &

Resolved that the sum of two hundred & one Pounds seven Shillings & Six Pence be Allowed & Paid out of the Publick Treasury unto Mr John Tappan the Officers & Sailors Born on the within muster Roll In full Discharge thereof. [*Passed November* 22.

CHAPTER 286.

RESOLVE ALLOWING £65. 11. 6 TO CAPT JNO ASHLEY.

Legislative Records of the Council, xii., 90.

House Journal, pp. 16, 23.

AN ACCOMPT Presented by John Ashley Esqr of sundry Charges & Disburstments on the Forces & others In the County of Hampshire advanced for his Majesties Service Amounting to the Sum of £68. 15. 8.

[Read, Accepted And]

Resolved that the sum of Sixty five Pounds eleven shillings & Six Pence be Allowed & Paid out of ye Publick Treasury to the accomptant John Ashley In full Discharge of this Accompt, agreeable to the Committee's Report. [*Passed November 23.*

CHAPTER 287.

RESOLVE ALLOWING 35/. TO BENJ^A STONE.

AN ACCOMPT of Benjamin Stone for Impressing Horses & other Services for the Publick amounting to the sum of £3.

Legislative Records of the Council, xii., 90.

[Read, and]

Resolved that the sum of thirty five shillings be allowed & Paid out of the Publick Treas^y to the accomptant Benj^a Stone in full Discharge thereof Fifteen Shillings being Deducted for Horse Hire & Ten Shillings for Impressing the Horses. [*Passed November 23.*

House Journal, p. 23.

CHAPTER 288.

RESOLVE ALLOWING £6. 2. 6 TO JOHN GOUGE.

AN ACCOMPT presented by Jno Gouge of Wages Due to him for Service as Commissary of the Eastern forces to the time of his Dismission and of Disburstments of sundrys for the Publick Service

Legislative Records of the Council, xii., 90.

[Read, accepted and]

Resolved that the Sum of Six Pounds two Shillings & Six Pence be allowed & Paid out of the Publick Treasury to Mr John Gouge In full Discharge & Satisfaction of the within Accompt. [*Passed November 23.*

House Journal, pp. 13, 24.

CHAPTER 289.

RESOLVE ALLOWING £6 TO JN^O HOW.

AN ACCOMPT presented by John How of Wages Due to him Self & Sundry others for Guarding Coll^o John Schuyler from Marlborô to Brookfield three Days amounting to the sum of £6.

Legislative Records of the Council, xii., 91.

[Read accepted and]

Resolved that the sum of six[1] Pounds be allowed & Paid out of the publick Treasury to the accomptant John How In full Discharge of the above Accompt. [*Passed November 25.*

House Journal, p. 23.

CHAPTER 290.

RESOLVE ALLOWING £33. 7 TO BART^L GREEN & SAM^LL KNEELAND.

AN ACCOMPT of Bartholemew Green & Sam^ll Kneeland for Printing the Votes of the Represent^s at the Last Session held the 8th of August 1723 Amounting to the sum of £33. 7.

Legislative Records of the Council, xii., 91.

[1] The House Journal reads, £6. 0. 5.

House Journal, p. 24.

[Read, And]

Resolved that the sum of thirty three Pounds & Seven Shillings be Allowed & Paid out of the Publick Treasury to the Accomptants Bartholemew Green & Sam[ll] Kneeland In full Discharge of the Above Accompt. [*Passed November 25.*

CHAPTER 291.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT CASTLE WILLIAM.

Legislative Records of the Council, xii., 92.

House Journal, p. 25.

A MUSTER ROLL of the garrison in his Majesties Service at Castle William under the Command of the Honb[le] William Dummer Esq[r] Contaning an Acc[t] of wages Due to them for their Service from April 1st 1723 to Sep[t] 15th following Amounting to the sum of £352. 11. 7.

[Read, accepted and]

Resolved that the sum of three hundred fifty two Pounds eleven shillings & Seven Pence be Allowed & Paid out of the Publick Treasury to the Honb[l] William Dummer Esq[r] & the other officers & the Soldiers born on this Roll In full Discharge thereof. [*Passed November 25.*

CHAPTER 292.

RESOLVE ALLOWING PAYMENT OF LEIU[T] BENJ[A] LARRABEES MUSTER ROLL.

Legislative Records of the Council, xii., 92.

House Journal, p. 26.

A MUSTER ROLL of the Company In his Majesties Service Eastward under the Command of Lieu[t] Benj[a] Larrabee Contaning an Acc[tt] of Wages Due to them for their Service from the 2[d] of Sep[tr] 1723 to the 23[d] of Octo[r] following Amounting to the sum of £145. 15. 4.

[Read, accepted and]

Resolved that the sum of one hundred & forty five Pounds fifteen Shillings & four Pence be allowed & Paid out of the Publick Treasury to the said Benjamin Larrabee and the other officers & the Soldiers born on the within Roll In full Discharge thereof. [*Passed November 25.*

CHAPTER 293.

RESOLVE ALLOWING PAYMENT ON CAP[T] JACOB TILTONS MUSTER ROLL.

Legislative Records of the Council, xii., 92.

House Journal, p. 25.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Cap[t] Jacob Tilton Contaning an Accompt of wages Due to them for their Service from Aug[st] 19th 1723 to the 15th of Novem[r] following Amounting to the sum of £203. 15. 4.

[Read, accepted and]

Resolved that the sum of one hundred Ninety Seven Pounds fifteen Shillings & four Pence be allowed & Paid out of the Publick Treasury To the Said Cap[t] Jacob Tilton & the other officers & Soldiers born on the within Roll In full Discharge thereof. [*Passed November 25.*

CHAPTER 294.

RESOLVE ALLOWING PAYMENT OF CAPT SAMUEL WHEELWRIGHTS MUSTER ROLL.

A Muster Roll of the Company in his Majesties Service Eastwd under the Command of Capt Samuel Wheelwright Contaning an Accompt of Wages Due to them for their Said service from the 2d of august 1723 to the 22d of October, Amounting to the Sum of £278. 3. 2.

Legislative Records of the Council, xii., 93.

House Journal, p. 25.

[Read, accepted and]

Resolved that the sum of two hundrd & Seventy eight Pounds three shillings & two pence be allowed & Paid out of the publick Treasury to the said Samuel Wheelwright and the Officers & Soldiers Born on the within Muster Roll. In full Discharge of the wages thereof. [*Passed November 26.*

CHAPTER 295.

ORDER FOR KEEPING JOHN MICHAEL KENT IN CONFINEMENT, ON A CHARGE OF FORGERY UNTIL THE NEXT SESSION OF THE COURT OF ASSIZE AND GAOL DELIVERY FOR SUFFOLK COUNTY.

Whereas by the good Providence of god a Discovery has Been made of Near four hundred Counterfit Bills in Imitation of the Ten Shilling Bills of this Province. And John Michael Kent is now in the Common Goal in Boston on Suspicion of and Charged with the Forging or Uttering the said Bill (the same being found upon him) & Ought to be brought upon his Tryall. for the same as soon as may. and the rather because John Dysert (one of the principal Witnesses) is bound to Sea. and Whereas the Superiour Court of Judicature Court of Assize & General Goal Delivery for the County of Suffolk are under an Adjournment to Sit on tuesday the third day of December next; But for as much as the Said Court have Dismiss'd the grand Jury that were Summon'd to Attend the said Court. So that the said John Michael Kent Cannot be Brought to his Tryall without Summoning a Grand Jury for that Purpose

Legislative Records of the Council, xii., 93.

House Journal, p. 28.

Ordered that the Sheriff of the County of Suffolk be Directed to keep the Prisoner under Strict Confinement according to the nature of the Crime for which he Stands Committed And that the Witness or Witnesses be Kept & Retain'd at the Charge of the Province till the next Court of Assize & General Goal Delivery for the County of Suffolk. [*Passed November 26.*

CHAPTER 296.

RESOLVE ALLOWING 23/. TO JNo HUGGIN.

An Accompt of John Huggin of his time & Expence In Going Express by order of the Governt Certified by Colle Samll Partridge

Legislative Records of the Council, xii., 94.

House Journal, p. 26.

[Read, and]

Resolved that ye Sum of twenty three Shillings be Allowed & Paid out of the Publick Treasury to the Accomptant John Huggin In full Discharge of the within Acco. [*Passed November 26.*

CHAPTER 297.

RESOLVE ALLOWING THE WAGES OF CAPT EDMUND WARD.

Legislative Records of the Council, xii., 94.

House Journal, p. 59 (Jan., 1722); p. 69 (Sept., 1723); p. 27. *Ante*, p. 258, chap. 293.

A PETITION of Capt Edmund Ward Shewing that Whereas his wages In his Muster Roll Pass'd at the Session held Novr 15th 1722 were Stop'd in the Treasury upon the Account of Several Inhabitants of the County of York being in his Muster Roll, The most of ye Said men were taken into his Company by orders from his Superiour Officers. and the others such as were Driven from their Settlemts by the War and therefore Praying that his said Wages Amounting to the sum of thirty four Pounds ten Shillings may be allowed & Paid to him out of the Treasury. Notwithstanding their being Stop'd, as aforesaid

Read &

Resolved that the Prayer of the Petition be Granted And that the Treasurer be Directed to Pay the Petitioner his Wages Accordingly. [*Passed November 26.*

CHAPTER 298.

RESOLVE ALLOWING £6 TO DANIEL BAG.

Legislative Records of the Council, xii., 94.

House Journal, p. 18.

AN ACCOMPT of Daniel Bag for his time & Expence in going to Albany with Collo John Schuyler Amounting to the sum of £6.

[Read, and]

Resolved that the Sum of Six Pounds be allowed & Paid out of the Publick Treasury To Mr Daniel Bag in full Discharge of the Above Accompt. [*Passed November 26.*

CHAPTER 299.

RESOLVE ACCEPTING THE REPORT OF THE COMMTTE FOR BURNING TORN & DEFACED BILLS.

Legislative Records of the Council, xii., 95.

Legislative Records of the Council, xii., 77. House Journal, p. 26. *Infra*, chap. 300.

IN OBEDIANCE to the Order of the General Court at their Present Session Appointing us the Subscribers a Committee to take an Accompt of Province Bills of Credit that are torn & Defaced

We have accordingly Received of Mr Treasurer Allen the Several Bills of the Denomination in the above Accompt amounts to the sum of Six thousand Nine hundred thirty Six Pounds Ten Shillings & Six Pence at their Express Value; all which Bills we have Burned to Ashes Whereof £1,474. 5. 11 Part of the abovsd Sum was Deliver'd us on the Accompt of the £50,000-Loan Neet Bills Received of the Trustees Mentioned on the other Side Also £5,462. 4. 7 Part of the Above Sum was Delivered upon Accott of the province as being Recd for taxes Impost & Excise Which with the 5 Per Cent Advance as they were taken into the Treasury Amount to the sum of £5,735. 6. 10 Making in the Whole Seven thousand two hundred & Nine Pounds twelve Shillings & Nine Pence As Witness our hands this 22d of Novr 1723

JONAS BOND	JOHN PYNCHON
PETER OSGOOD	EDWARD WHITE
HENRY PHILLIPS	PENN TOWNSEND
JOSEPH WHITE	BENJA LYNDE
SPENCER PHIPS	THOS HUTCHINSON
EZEKIEL LEWIS	EDMUND QUINCY

Read & Accepted &

Resolved that Mr Treasurer Allen be Discharged from the sum of Seven thousand two hundred & Nine Pounds twelve Shillings & Nine Pence Accordingly. [*Passed November 26.*

CHAPTER 300.

RESOLVE ACCEPTING THE COMMTTS REPORT OF BURNING BILLS SIGNED BY THREE HANDS.

In Obediance to an order of the Great & General Court at their Present Session Appointing us the Subscribers a Committee to take an accompt of Province Bills of Credit that are torn & Defaced

Legislative Records of the Council, xii., 96.

We have Accordingly Received of Mr Treasurer Allen the Bills of the Denomination In the Above Accompt Amounting to the sum of Nine hundred & Eighty Pounds thirteen Shillings & Six Pence on Accompt of the Canada Loan & Caused the same to be burnt to Ashes as Witness our hands this 22d of Novr 1723

House Journal, p. 26. *Supra*, chap. 299.

Jonas Bond	John Pynchon
Peter Osgood	Ewd White
Henry Phillips	Penn Townsend
Joseph White	Benja Lynde
Spencer Phips	Thos Hutchinson
Ezekiel Lewis	Edmund Quincy

Read & Accepted &

Resolved that Mr Treasurer Allen be Discharged of the Sum of Nine hundred & eighty Pounds thirteen Shillings & Six Pence Accordingly. [*Passed November 26.*

CHAPTER 301.

RESOLVE ALLOWING £4 TO JNo GREEN.

An Accompt presented by John Green of his time & Expence in going Express from Boston to Hatfield by order of the Goverment Amounting to the sum of £4. 18.

Legislative Records of the Council, xii., 97.

[Read, and]

House Journal, p. 29.

Resolved that the sum of four pounds be Allowed & Paid out of the publick Treasury to John Green the Accomptant In full Discharge of this Accompt. [*Passed December 3.*

CHAPTER 302.

RESOLVE ALLOWING PAYMENT OF WAGES OF Lt GEORGE ALLEN.

A Petition of Lieut George Allen praying that his wages in Capt Heaths Muster Roll stop'd In the Treasury on the Account of his Absence from his Post. may be paid to him he being then Detained in Boston by the order's of the Captain general & not by any private Affairs of his own: the sum of the said Wages being Sixteen Pounds fourteen Shillings & two Pence

Legislative Records of the Council, xii., 98.

House Journal, p. 75 (Jan., 1722); p. 28.

Read &

Resolved that the prayer of this Petition be granted. [*Passed December 3.*

CHAPTER 303.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E SLOOP GEORGE DAVID FRANKLYN MASTER.

Legislative Records of the Council, xii., 98.

House Journal, p. 31.

A MUSTER ROLL of the Sloop George David Franklyn Master Contaning an Acc^o of wages Due to the said Master & Company for thier service & for the Hire of the said Sloop from the fifth of may 1723 to the Second of Novem^r following Amounting to the sum of £194. 19. 3.

[Read, accepted and]

Resolved that the sum of one hundred & Ninety four Pounds nineteen shillings & three pence be Allowed & Paid out of the publick Treasury to the said David Franklyn and the Men born on this Muster Roll in full Discharge of the wages & Sloop Hire therein Mention'd. [*Passed December 3.*

CHAPTER 304.

VOTE FOR A BILL ABOUT SPEECIAL COURTS OF ASSIZE &c.

Legislative Records of the Council, xii., 99.

House Journal, p. 28. Province Laws, i., 719, chap. 5.

Voted that a bill be prepared in Addition to the Act for Holding Special Courts of Assize & General Goal Delivery made in the twelfth Year of the Reign of her late Majestie Queen Ann to Extend to all Capital Offenders. [*Passed December 4.*

CHAPTER 305.

RESOLVE ALLOWING £2. 5 TO COLL^O JOHN DENISON.

Legislative Records of the Council, xii., 99.

House Journal, p. 31.

AN ACCOMPT. presented by Coll^o John Denison for Subsisting Soldiers Impress'd In June Last & Conducting them to Salem

[Read, accepted and]

Resolved that the sum of two Pounds & five shillings be allowed & Paid out of the publick Treasury to Coll^o John Denison in full Discharge of this Accompt. [*Passed December 5.*

CHAPTER 306.

ORDER FOR ADJON^T OF THE COURTS IN MIDDLESEX.

Legislative Records of the Council, xii., 100.

House Journal, p. 34. Province Laws, i., 369, chap. 2.

WHEREAS the Court of General Sessions of the Peace & Inferiour Court of Common Pleas for the County of Middlesex are appointed by Law to be Held at Charlestown in the Said County on the Second Tuesday of December Instant, & Several Justices of the said Court & others Concerned are Members of this Court

Resolved that In Consideration of the present Sitting of the General Court the said Court of General Sessions of the Peace & Inferiour Court of Common Pleas be and hereby are Adjourned to the fourth tuesday of this Instant December any Law Usage or Custom to the Contrary NOTWITHSTANDING. [*Passed December 6.*

CHAPTER 307.

RESOLVE ACCEPTING THE REPORT OF INSTRUCTIONS TO THE AGENTS.

Legislative Records of the Council, xii., 100.

Mass. Archives, xx., 185. Legislative Records of the Council, xii., 68, 70, 71, 72, 73, 74 *bis*, 75, 76 *bis*, 77, 81, 85, 89, 90, 91, 99. House Journal, pp. 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 22, 24, 32, 34, 35.

The Report of the Committee of Both Houses of Instructions[1] to be givin by this Court to the agent or Agents of this Province to be Employed at the Court of great Brittian In Defence of the Charter

Read &

Ordered that this Report of Instructions be Accepted with the Amendments. [*Passed December 6.*

CHAPTER 308.

RESOLVE ALLOWING £42 FOR THEOPHILUS PICKERING, MINISTER AT TIVERTON.

Legislative Records of the Council, xii., 101.

House Journal, p. 35. *Ante*, p. 317, chap. 78.

A Memorial of Edward Bromfield Esqr & others appointed by an order of the Court to provide a Learned Orthodox Minister for the Town of Tiverton. Shewing that Mr Theophilus Pickering Has Officiated In that work the Last Year & has Received only Thirty Pounds out of the publick Treasury & Proposing that the Remainder of his Years Allowance may be Granted to him & Desiring further Directions to the Memorialists for Providing a Minister to preach there

Read &

Resolved that the Sum of forty two Pounds be allowed & Paid out of the Publick Treasury to the said Committee for the Use of the said Mr Theophilus Pickering for his work in the Ministry in the town of Tiverton And further that it be Recomended to the said Committee Still to take Effectual Care that the said Town be furnished with a Learned Orthodox Minister Pursuant to the aforesaid vote of June 21th.[2] [*Passed December 6.*

CHAPTER 309.

RESOLVE ALLOWING £5 BESIDES £5 PER ANNUM TO W^M RUTTER.

Legislative Records of the Council, xii., 101.

House Journal, p. 33.

A Petition of William Rutter a Soldier In his Majesties Service Praying Some Allowance from this Court for a wound he Received in the service, Whereby he has been put to Charge & is much Disabled

[Read, accepted and]

Resolved that the sum of five Pounds be allowed & Paid out of the publick Treasury to the Petitioner in Consideration of his Wounds Mention'd in his Petition & the Like Sum of Five Pounds be further allowed & Paid out of the Publick Treasury Annually to the Petitioner William Rutter Till the further order of this Court. [*Passed December 6.*

[1] No copy of the instructions has been found.

[2] A mistake for the 28th. See Legislative Records of the Council, xi., 579; State Library copy, *ibid.*, xi., 522; House Journal, p. 59 (June).

CHAPTER 310.

RESOLVE ALLOWING 31/ 6 TO EDW^D WATT.

Legislative Records of the Council, xii., 101.

House Journal, p. 33.

AN ACCOMPT of Edward Watts of the Hire of his Horses taken up for the publick Service Amounting to the sum of £1. 11. 6.

[Read, accepted and]

Resolved that the sum of thirty one Shillings & Six Pence be allowed & Paid out of the Publick Treasury to the Accomptant Edward Watts In full Discharge of the Within Accompt. [*Passed December 6.*

CHAPTER 311.

RESOLVE ALLOWING £4. 2 TO EBEZ^R MARSH.

Legislative Records of the Council, xii., 103.

House Journal, p. 35. *Ante*, p. 310, chap. 58.

AN ACCOMPT of Ebenezer Marsh, for his Time & Expence in Seizing & Letting out Pine Trees in the County of Hampshire for the province

[Read, accepted and]

Resolved that the sum of four Pounds & Two Shillings be Allowed & Paid out of the publick Treasury to the Accomptant Ebenezer Marsh In full Discharge of this Accompt. [*Passed December 6.*

CHAPTER 312.

RESOLVE ALLOWING £4. 16 TO TIM^O DWIGHT.

Legislative Records of the Council, xii., 103.

House Journal, p. 34. *Ante*, p. 310, chap. 58.

AN ACCOMPT of Timothy Dwight of Time & Expence in Siezing & Letting out Pine Trees for the Province Amounting to the sum of £4. 16.

[Read, Accepted and]

Resolved that the Sum of four Pounds Sixteen Shillings be Allowed & Paid out of the publick Treasury to the Accomptant Timothy Dwight In full Discharge of the Above Acc^o. [*Passed December 6.*

CHAPTER 313.

RESOLVE ALLOWING £31 TO NATH^L MASTERS.

Legislative Records of the Council, xii., 103.

House Journal, p. 33. *Ante*, p. 164, chap. 15.

A PETITION of Nathaniel Masters Owner of the Shallop two Brothers Robert Warren Master, Which Shallop was press'd by order of the Govem^t to attend his Majesties Ship Sea Horse on a Cruise the Last Summer in Quest of Pyrates, Praying an Allowance for the Hire of Said Vessell & Wages & Provisions for the Men for twenty five Days

Read [accepted] &

Resolved that the Sum of thirty one Pounds be allowed & Paid out of the Publick Treasury to Nathaniel Marsters the Petitioner & his Men Agreeable to the Committees Report. [*Passed December 6.*

CHAPTER 314.

RESOLVE ALLOWING 40/. SEVERALLY TO DAVID KING, SOL^O NOBLE & AARON ASHLEY.

A Petition of David King, Solomon Noble & Aaron Ashley Praying that they be Allowed the Bounty they are Intituled to by Law for Enlisting Voluntiers in the Service against the Enemy Indians In the Year 1722 the Same being Certified by Capt John Ashley Read & *Resolved* that the Sum of forty Shillings be allowed & Paid out of the publick Treasury for the Use of Each of the Petitioners making in the Whole the sum of Six Pounds, to Mr Daniel Bag to be by him Repaid to them. [*Passed December 9.*

Legislative Records of the Council, xii., 105.

House Journal, p. 18. Province Laws, ii., 225, chap. 1.

CHAPTER 315.

RESOLVE ALLOWING £7. 8 TO SHUBAL GORHAM ESQ^R.

An Accompt presented by Shubal Gorham[1] Esqr of the Charge of Apprehending & Keeping John Bly In Prison, he being taken up for Putting off Counterfit Peices of Eight, Amounting to the Sum of £7. 8. [Read, and]

Resolved that the sum of Seven Pounds Eight Shillings be Allowed & Paid out of the Publick Treasury to Shubal Gorham Esqr In full Discharge thereof. [*Passed December 9.*

Legislative Records of the Council, xii., 105.

House Journal, p. 36.

CHAPTER 316.

RESOLVE ALLOWING 55/. TO COLL^O JOS^E BUCKMINSTER.

An Accompt presented by Coll^o Joseph Buckminster, of Sending Expresses by order of the Goverment Amount^g to the Sum of £3. 5. [Read, and]

Resolved that the sum of fifty five Shillings be Allowed & Paid out of the Publick Tresury Treasury[2] to Coll^o Joseph Buckminster In full Discharge of the within Acc^o. [*Passed December 9.*

Legislative Records of the Council, xii., 105.

House Journal, p. 36.

CHAPTER 317.

RESOLVE ALLOWING PAYMENT OF CAP^T ELEAZER WHEELOCKS MUSTER ROLL.

A Muster Roll of the Troop of Horse late In his Majesties Service on the frontiers under the Command of Capt Eleazer Wheelock Contaning an Accompt of Wages Due for their Service togather with Subsistance & the Hire & Keeping their Horses from October 11th 1723 to the thirty first of Said Month Amounting to the sum of £155. 15. 11. [Read, Accepted and]

Resolved that the sum of one hundred & fifty five Pounds fifteen Shil-

Legislative Records of the Council, xii., 107.

House Journal, p. 37.

[1] Gorham was sheriff of Barnstable county, and had brought Bly from Barnstable to Boston. — House Journal, p. 36.

[2] *Sic.*

lings & Eleven Pence be Allowed & Paid out of the Publick Treasury to Capt Eleazer Wheelock to be by him Paid to the Several persons to Whome the same is Respectively due for Wages & Subsistance of the Men born on the Within Muster Roll agreeable To the Committees Report. [*Passed December 10.*

CHAPTER 318.

RESOLVE ALLOWING PAYMENT OF CAPT DANIEL EPES MUSTER ROLL.

Legislative Records of the Council, xii., 108.

House Journal, p. 37.

A MUSTER ROLL of the Troop of Horse late In his Majesties Service on the frontiers under the Command of Capt Daniel Epes, Contg an Accompt of Wages Due for their Service Togather with their Subsistance & the Hire & Keeping of their Horses from the Second to the twenty first of September 1723 Amounting to the Sum of £185. 4.

[Read Accepted and]

Resolved that the sum of one hundred & Eighty five Pounds four Shillings[1] be Allowed & Paid out of the publick Treasury to Capt Daniel Epes to be by him paid to the Officers & Soldiers born on the Within Roll & the Persons that Subsisted them In full Discharge of this Roll. [*Passed December 10.*

CHAPTER 319.

RESOLVE ALLOWING PAYMENT OF CAPT FRANCIS BARKERS MUSTER ROLL.

Legislative Records of the Council, xii., 108.

House Journal, p. 40.

A MUSTER ROLL of the Company In his Majesties Service under the Command of Capt Francis Barker, Contaning an Accompt of Wages due to them for their said Service from the 26th of June 1723 to the 26th of November following Amounting to the Sum of £466. 14. 4.

[Read, Accepted and]

Resolved that the sum of four Hundred & Sixty Six Pounds fourteen Shillings & four Pence be Allowed & Paid out of the Publick Treasury to the Said Capt Francis Barker & the Other Officers & Soldiers born on the Within Roll In full Discharge of the Wages thereof. [*Passed December 10.*

CHAPTER 320.

RESOLVE ALLOWING PAYMENT OF CAPT SAML PICKARDS MUSTER ROLL.

Legislative Records of the Council, xii., 108.

House Journal, p. 38.

A MUSTER ROLL of the Troop of Horse late In his Majesties Service. under the Command of Capt Samll Pickard, Contaning an Accompt of wages due to them for their Service on the frontiers Togather with their Subsistance & the Hire & Keeping of their Horses from the 30th of Septemr 1723 to the 15th of October following, Amounting to the Sum of £125. 15.

[Read Accepted and]

Resolved that the Sum of one hundred & twenty five Pounds & fifteen Shillings be Allowed & Paid out of the Publick Treasury to Capt Saml

[1] The House Journal reads, £185. 4. 5.

Pickard, to be by him paid to the Officers & Soldiers born on the Within Roll & the persons that Subsisted the Men therein in full Discharge of the same. [*Passed December 10.*

CHAPTER 321.

RESOLVE ALLOWING PAYMENT OF MAJR MATTHEW WHIPPLES MUSTER ROLL.

A MUSTER ROLL of the Troop of Horse in his Majesties Service on the frontiers under the Command of Major Matthew Whipple, Contaning an Acco of Wages &c Due to them for their Service from ye 16th to the 30th of Sepr 1723 Amounting to the sum of £134. 10. 8.

Legislative Records of the Council, xii., 108.

House Journal, p. 38.

[Read, Accepted and]

Resolved that the sum of one hun Hundred[1] & thirty four Pounds Ten Shillings & Eight pence be allowed & Paid out of the publick Treasury, to the said Major Matthew Whipple to be by him Repaid to the Officers & Soldiers born on the Within Muster Roll & Persons Who have Subsisted the Troops in full Discharge of the Roll. [*Passed December 10.*

CHAPTER 322.

RESOLVE ALLOWING £12. 13. 2 TO DISCHARGE COLLO SAML PARTRIDGES ACCO OF POSTS &c.

AN ACCOMPT presented by Collo Saml Partridge of the Charge of Subsisting Several posts & Indians, Paustering of Horses for Troopers, Hire of Posts &c Amounting to the sum of £12. 13. 2.

Legislative Records of the Council, xii., 109.

House Journal, p. 39.

[Read, Accepted and]

Resolved that the Sum of twelve Pounds thirteen Shillings & two Pence be allowed & Paid out of the publick Treasury to Jonathan Weld Esqr to be by him Repaid to the Several persons to Whome the Same is Respectively Due (as by the within Accompt) In full Discharge thereof. [*Passed December 10.*

CHAPTER 323.

RESOLVE ALLOWING £7. 15. 6 TO DISCHARGE COLLO SAML PARTRIDGES ACCO OF SUBSISTING SOLDIERS.

AN ACCOMPT, presented by Collo Saml Partridge of the Charges of Subsisting Capt Goodrick's, Leiut. Collo Stoddard's & Serjant Kings & Serjant Rogers Men Amounting to the Sum of £7. 15. 6.

Legislative Records of the Council, xii., 109.

House Journal, p. 39.

[Read, Accepted and]

Resolved that the sum of Seven Pounds fifteen Shillings & Six Pence be Allowed & Paid out of the Publick Treasury to Capt Jonathan Weld to be by him repaid to the Several Persons that Have Subsisted the Said forces (as by Said Accompt) in full Discharge Thereof. [*Passed December 10.*

[1] *Sic.*

CHAPTER 324.

RESOLVE ALLOWING £12. 11. 7 TO STEBBINS, BURTS, & POMROY.

Legislative Records of the Council, xii., 109.

House Journal, p. 38.

AN ACCOMPT presented by Benj^a Stebbins, Ebenez^r Pomroy & Jonathan Burt of Subsisting the Soldiers from Connecticut & Other Soldiers in his Majesties Service in the County of Hampshire Amounting to the Sum of £12. 11. 7.

[Read, and]

Resolved that the sum of Twelve Pounds Eleven Shillings & Seven Pence be Allowed & Paid out of the Publick Treasury to John Stoddard Esqr it being the Whole Amount of the three Afore Written Accompts, to be by him Paid to the Said Accomptants in full Discharge thereof. [*Passed December 10.*

CHAPTER 325.

RESOLVE ALLOWING £74. 0. 3 TO COLL^o PARTRIDGE.

Legislative Records of the Council, xii., 109.

House Journal, p. 39.

AN ACCOMPT presented by Coll^o Sam^ll Partridge of Billeting Soldiers by Meals & other Expences togather with an Acc^o of Expence for the Publick Service in Sunderland, Amounting In the Whole to the Sum of £74. 0. 3.

[Read, accepted and]

Resolved that the Sum of Seventy four Pounds & three Pence be Allowed & Paid out of the publick Treasury to the Honbl^e Coll^o Sam^ll Partridge, to be by him Repaid to the Persons to Whome it is Due (as by Said Accompt) Agreeable to the Comm^ttes Report. [*Passed December 10.*

CHAPTER 326.

RESOLVE ALLOWING £28. 7. 10 ON ACC^O OF BILLITING SOLDIERS AT DEERFIELD.

Legislative Records of the Council, xii., 110.

House Journal, p. 38.

AN ACCOMPT presented by Coll^o Samuell Partridge of Billiting the Soldiers under the Command of Capt Goodrich at Deerfield, and the Soldiers Under the Command of Capt Jonathan Wells Amounting to the Sum of £28. 7. 10.

[Read, accepted and]

Resolved that the Sum of twenty Eight Pounds Seven Shillings & ten Pence be Allowed & Paid out of the publick Treasury to Capt Jonathan Weld to be by him Repaid to the Several Persons Named in these Accompts In full Discharge Thereof. [*Passed December 10.*

CHAPTER 327.

RESOLVE ALLOWING 40/. TO JN^O DORRELL.

Legislative Records of the Council, xii., 110.

A PETITION of John Dorrell Under Sheriff of Suffolk Praying Some Allowance for Apprehending Emanual Hall & John Baker (two Desert-

ers) as Certified by Habijah Savage Esqr one of his Majesties Justices of ye Peace

House Journal, p. 40.

Read [Accepted] &

Resolved that the sum of forty Shillings be Allowed & Paid out of the Publick Treasury to John Dorrell the Petitioner In full Satisfaction of his Petition. [*Passed December 10.*

CHAPTER 328.

RESOLVE IN REGARD TO WAGES OF JOS: PRESSEY.

A Certificate Under the hand of Mr Treasurer Allen that Joseph Pressey hath Return'd one of the two Province Arm's in his hands, for which his Wages in Capt Peckers Muster Roll were Stop'd in the Treasury In the House of Represent^s Read &

Legislative Records of the Council, xii., 110.

House Journal, p. 48 (Aug.); p. 44.

Resolved that Mr Treasurer be Directed to pay to the Within Named Joseph Pressey the sum of Ten Pound & Eleven Shillings, the Remaning Part of his Wages to be Still Stop'd in the Treasury untill the Said Pressey Make it Appear that he has return'd the Other gun

In Council Read & Concurd, and that the Treasurer be Directed Upon the said Pressey's Returning the other Gun to pay him the Remainder of his Wages In the House of Represent^s Read & Concurd. [*Passed December 10.*

CHAPTER 329.

VOTE DIRECTING THE AGENT TO APPEAR AND DEFEND THE CHARTER.

In Council.

Voted that Mr Agent Dummer be Directed to appear in Behalf of the Province for Defence of the Charter According to Such Instructions as he Shall Receive from this Court

Legislative Records of the Council, xii., 76, 85, 112.

In the House of Represen^ts Read & Concur'd with an Amendm^t vizt that Mr Anthony Saunderson of London togather with one other Person who shall be Chosen & be Sent by this Court from hence be Joined In the Affair

House Journal, pp. 12, 15, 24, 46. *Ante*, p. 387, chap. 307.

In Council Read & Concurd So far, as that Some Person who Shall be Chosen & Sent by this Court from hence be Joined in the Affair.

In the House of Represent^s Read & Concurd. [*Passed December 10.*

CHAPTER 330.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E SCOUTS AT LANCASTER GROTON & SHREWSBURY.

A Muster Roll of Serjant Edward Hartwell & the Scouts of Shrewsbury, Lancaster & Groton, Contaning an Accompt of Wages due to the Scouts for their Service from the 19th of August 1723 to the Ninth of November following, Amounting to the sum of £94. 10. & Subsistance for the Said Time, Amounting to the sum of £46. 5. 9.

Legislative Records of the Council, xii., 112.

House Journal, p. 37.

[Read, accepted and]

Resolved that the sum of Ninty four Pounds Ten shillings, & Forty

Six Pounds five Shillings & Nine pence Making in the whole the Sum of One Hundred forty Pounds fifteen Shillings & Nine Pence be Allowed & paid out of the publick Treasury to Mr Benjamin Prescot to be by him Repaid to the Several Persons to Whome the same is Respectively Due for Wages & Subsistance of the men born on the Within Muster Roll, Agreeable to the Committees Report. [*Passed December 11.*

CHAPTER 331.

VOTE FOR A SUPPLY OF £300 STERLING FOR DEFENCE OF THE CHARTER.

Legislative Records of the Council, xii., 112.

Legislative Records of the Council, xii., 103, 106, 110. House Journal, pp. 41, 46, 47, 48, 49. *Ante*, p. 393, chap. 329.

In the House of Represent^s

Resolved that Mr Treasurer Allen be Directed to furnish Mr Speaker Clark with three Hundred Pounds Sterling to be Used & Employed as the house of Represent^s Shall Direct for their Necessary Defence & Prolongation of our Charter Privileges

In Council Read & Concur'd so far, as that Mr Treasurer. be Directed To purchase Three hundred pounds Sterling in good Bills of Exchange One hundred pounds thereof to be put Into Mr Speakers Hands to be Employed as the house of Represent^s Shall Direct for the Service of the province; The Remaining two hundred Pounds to be Supplyed the Agent or Agents, Who are or Shall be Employed & Intrusted by this Court In Defence of our Charter Privileges In the House of Represent^s

Read & Concurd. [*Passed December 11.*

CHAPTER 332.

RESOLVE ALLOWING PAYMENT OF COLL^o ELEAZER TYNGS MUSTER ROLL.

Legislative Records of the Council, xii., 113.

House Journal, p. 43.

A MUSTER ROLL of the Scout In the County of Middlesex under the Direction of Coll^o Eleazer Tyng. Contaning an Accompt of Wages Due to them for their Service from August 18th to Novem^r 23^d 1723 Amount^s to the Sum of £114. 2 & Subsistance the Said time £55. 2. 1.

[Read, accepted and]

Resolved that the sum of one hundred & fourteen Pounds two Shillings be Allowed & paid out of the publick Treasury to the Officers & Soldiers Born on this Roll in full Discharge of the Wages thereof, And that the further Sum of fifty five Pounds two Shillings & one penny be Allowed & paid out of the publick Treasury to Coll^o Eleazer Tyng to be by him Repaid to the Several persons that have Subsisted ye Said Men in full Discharge thereof, And that no further pay be Allowed Coll. Tyng for wages for taking Care of the Soldiers. [*Passed December 11.*

CHAPTER 333.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT FORT MARY.

Legislative Records of the Council, xii., 115.

House Journal, p. 42.

A MUSTER ROLL of the Garrison in his Majesty's Service at fort Mary at Winter Harbour, under the Command of Capt Sam^ll Hinks, Contaning An Accompt of Wages Due to them for their Service from June 16th 1723 to Decr 3^d 1723 Amounting to the Sum of £126. 1. 1.

[Read, Accepted and]

Resolved that the sum of one hundred twenty Six Pounds one Shilling & one penny be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Muster Roll in full Discharge thereof, And that no further pay be Allowed to Mr Samuel Jordan Interpreter during the present Indian War, There being no Service for him as Such, as Long as the war Continues. [*Passed December 11.*

CHAPTER 334.

RESOLVE ALLOWING PAYMENT OF CAPT NATHLL BOWMANS MUSTER ROLL.

A Muster Roll of the Troop of Horse in his Majestyes Service on the frontiers Under the Command of Capt Nathaniel Bowman Contaning an Accompt of Wages Due to them for their Service from the 31st of August 1723 to the 21th of September following & for their Subsistance & the Hire & Keeping of their Horses, Amounting to the Sum of £185. 12. 5.

Legislative Records of the Council, xii., 113.

House Journal, p. 43.

[Read Accepted and]

Resolved that the Sum of one hundred & Eighty five pounds twelve Shillings & five pence be Allowed & paid out of the Publick Treasury to the Said Capt Nathaniel Bowman to be by him Repaid to the Troopers born on the Roll & the persons that have Subsisted them & their Horses In full Discharge of the said Roll. [*Passed December 11.*

CHAPTER 335.

RESOLVE ALLOWING PAYMENT OF CAPT EBENR BROOKS MUSTER ROLL AND FURTHER ALLOWCE TO JAMES HOW.

A Muster Roll of the Troop of Horse Late In his Majesties Service on the frontiers Under the Command of Capt Ebenezer Brooks Contaning an Accompt of Wages due to them for their Service from the 13th to the 28th of Sepr 1723, togather with Horse Hire & Keeping And the Subsistance of the said Men the Said Time, Amounting to the Sum of £126. 11. 9.

Legislative Records of the Council, xii., 114.

House Journal, p. 43.

[Read, accepted and]

Resolved that the sum of one hundred & twenty Six Pounds Eleven Shillings & Nine pence be Allowed & paid out of the publick Treasury to the Said Capt Ebenezer Brooks to be by him Repaid to the Troopers born on this Roll & the persons that Subsisted the said Troopers In full Discharge of the Wages & Subsistance thereof, & that the further Sum of Six pounds five Shillings be Allowed & paid out of the publick Treasury to James How[1] in full Discharge of What has Arisen on the Accompt of his Servant's Sickness. [*Passed December 11.*

[1] The House Journal reads, "*Hovey.*"

CHAPTER 336.

RESOLVE ALLOWING PAYMENT OF CAP^T JOHN MARCHS MUSTER ROLL.

Legislative Records of the Council, xii., 114.

House Journal, p. 43.

A MUSTER ROLL of the Troop of horse late In his Majesties Service on the frontiers under the Command of Capt John March Contaning an Accompt of Wages due for their Service from the 14th to the 31st October 1723, togather with their Subsistance & the hire & Keeping of their Horses, Amounting to the Sum of £131. 17. 8.

[Read, accepted and]

Resolved that the sum of one hundred & thirty one pounds seventeen Shillings & eight pence be Allowed & Paid out of the publick Treasury to the said Capt John March, to be by him Repaid to the Troopers born on this Roll & the persons that have Subsisted them & furnish'd their Horses with forrage in full Discharge of this Roll. [*Passed December 11.*

CHAPTER 337.

RESOLVE ALLOWING £7. 11 TO JON^A HUBBARD.

Legislative Records of the Council, xii., 114.

House Journal, p. 43.

AN ACCOMPT presented by Jonathan Hubbard, for Entertaning Samuel Barnard a Trooper Sick in the Service Amounting to the sum of £8. 4.

[Read, Accepted and]

Resolved that the sum of Seven Pounds & Eleven Shillings be Allowed & paid out of the publick Treasury to Jon^a Hubbard in Satisfaction of his Accompt Agreeable to the Comm^ttes Report. [*Passed December 11.*

CHAPTER 338.

RESOLVE ALLOWING £20 TO ALEX^R HAMILTON.

Legislative Records of the Council, xii., 115.

Legislative Records of the Council, xii., 104. House Journal, p. 41.

Resolved that the sum of twenty pounds be Allowed & Paid out of the publick Treasury to Mr Alexander Hamilton in Consideration of his Attendance on this Court by order of his Honour the Lieut^r Govr to form his Journal Laid before this Court. W^ch may Prove of Service to the province. [*Passed December 12.*

CHAPTER 339.

RESOLVE ALLOWING PAYMENT OF CAP^T JOHN FLINTS MUSTER ROLL.

Legislative Records of the Council, xii., 116.

House Journal, p. 47.

A MUSTER ROLL of the Troop of Horse late in his Majesties Service on the frontiers, Under the Command of Capt John Flint, Contaning an Accompt of Wages due to them for their Service from the Eleventh to the thirty first of October 1723, togather with their Subsistance & Hire and forrage of their Horses, Amounting to the sum of £157. 11. 10.

[Read, Accepted and]

Resolved that the Sum of one hundred & fifty Seven Pounds Eleven Shillings & ten Pence be Allowed & Paid out of the publick Treasury

to the Said Capt John Flint to be by him paid to the Officers & Soldiers born on the same & to the persons that have Subsisted them in full Discharge thereof. [*Passed December 13.*

CHAPTER 340.

RESOLVE ON ACCO OF THE COMSRS OF THE £100,000 LOAN FOR BARNSTABLE.

An Accompt of the Commisrs for the £100,000 Loan in the County of Barnstable Begining in February 1719 & Ending in February 1720

Legislative Records of the Council, xii., 117.

It Appearing by this Accompt that the Commisrs the Accomptants have Received for Intrest of the said Loan the said Year the sum of £364. 13. 7 And have paid Into the Treasury the Sum of £350. 1. 2 thereof, & Accompt for the remaining £14. 12. 5 as follows; vizt £8. 12. 5 their Due by Law & £6 for Book keeping & the sum of £1. 5 Out Standing Intrest

House Journal, p. 46. Province Laws, ii., 61, chap. 18. *Infra*, chap. 341.

Resolved that the said Commisrs the Accomptants be and hereby are Discharged from the said Sum of three hundred Sixty four pounds thirteen Shillings & Seven pence received for Intrest of the said Loan Exceptng twenty five Shillings out Standing Intrest Money which they are Still Accomptable for, The sum of Ninety three pounds Eighteen Shillings & Nine Pence of the Principal money being then in their Hands and not Let out. [*Passed December 13.*

CHAPTER 341.

RESOLVE ON ACCO OF THE COMMISRS OF THE £100,000 LOAN FOR PLYMOUTH.

An Accompt of the Commisrs for the £100,000 Loan for the County of Plymouth, Begining in February 1719 & ending in February 1720

Legislative Records of the Council, xii., 117.

It Appearing by this Accompt. that the Commisrs the Accomptants have Received for Intrest of the said Loan the said Year the sum of £364. 9. 6 Including £16. 3. 9 So much they Received for Law Suites, Wch they Charged on the Debt of their Last Accompt, and have Paid into the Treasury £325. 3. 11 thereof, and Accompt for the remaining £39. 15. 8 as follows; Vizt £15. 18 their Due by Law £6 for Book keepg & £3 Travel & Expences in taking Possession of the Lands, Paper 1/8 & £14. 16 Paid Charges of Law Suites, and the sum of £92. 16 Outstanding Intrest money

House Journal, pp. 45, 46. Province Laws, ii., 61, chap. 18. *Supra*, chap. 340.

Resolved that the Said Accompt be & hereby is Accepted in the Several Articles thereof, And the said Commisrs the Accomptants are Discharged from the said Sum of three hundred Sixty four Pounds Nineteen Shillings & Six Pence Received for Intrest of Said Loan, Excepting the Articles of fourteen Pounds, Sixteen Shillings & three Pounds Charges of Suits, Making Seventeen Pounds Sixteen Shillings Togather with the sum of Ninety two Pounds Sixteen Shillings out Standing Intrest Money, which they are Still to be Accomptable for. [*Passed December 13.*

CHAPTER 342.

RESOLVE ALLOWING PAYMENT OF CAPT ADIJAH DEWEYS MUSTER ROLL.

Legislative Records of the Council, xii., 117.

Mass. Archives, xci., 94, 95. House Journal, p. 48.

A MUSTER ROLL of the Troop of horse Late in his Majesties Service on the frontiers under the Command of Capt Adijah Dewey, Contaning an Accompt of Wages due to them for their Service togather with their Subsistance, & the Hire & forrage of their Horses from the 3d of September 1723 to the 25th of October following Amounting to the sum of £328. 10. 3.

[Read, accepted and]

Resolved that the sum of three hundred twenty eight Pounds Ten Shillings & three pence be Allowed & Paid out of the publick Treasury to the said Capt Adijah Dewey to be by him paid to the several Troopers born on the Roll & the persons that have Subsisted the Men & their Horses in full Discharge of this Roll. [*Passed December 13.*

CHAPTER 343.

RESOLVE ALLOWING PAYMENT OF CAPT HENRY DWIGHTS MUSTER ROLL.

Legislative Records of the Council, xii., 118.

House Journal, p. 48.

A MUSTER ROLL of the Troop of Horse in his Majesties Service on the frontiers Under the Command of Capt Henry Dwight, Contaning an Acco of Wages due to them for their Service togather with their Subsistance & Hire & forrage of their Horses from the 16th of Septemr 1723. to the 31st of October following; Amounting to the Sum of £298. 9. 8.

[Read Accepted and]

Resolved that the sum of Two hundred & Ninety Eight pounds, Nine Shillings & Eight pence be Allowed & paid out of the publick Treasury, to the said Capt Henry Dwight. to be by him Repaid to the Officers & Soldiers. born on the Within Roll. & the persons that have Subsisted them In full Discharge of the Wages & Subsistance of this Roll. [*Passed December 13.*

CHAPTER 344.

RESOLVE ALLOWING £27. 12 TO DR BENJA HILL.

Legislative Records of the Council, xii., 118.

House Journal, p. 48.

AN ACCOMPT presented by Benjamin Hill of his Service as Surgeon of the forces Eastward from the 20th of June 1723 to the 22d of Novr following, Amounting to the sum of £27. 12.

[Read, Accepted and]

Resolved that the sum of twenty Seven pounds & twelve Shillings[1] be Allowed & paid out of the publick Treasury to the Accomptant. Dr Benjamin Hill In full Discharge of this Accompt. [*Passed December 13.*

[1] The House Journal reads, £20. 0. 2. So also Executive Records of the Council, vii., 560.

CHAPTER 345.

RESOLVE ON ACC° OF THE COMMS^RS OF THE £100,000 LOAN OF THE COUNTY OF YORK.

An Accompt of the Commis^rs for the £100,000 Loan for the County of York Begining In February 1719 & Ending In February 1720,

Legislative Records of the Council, xii., 120.

It Appearing that the Commis^rs the Accomptants have Received for Intrest of the said Loan of Sundry Persons the Sum of £42. 16 in the said Year, & have paid into the Treasury the sum of £36. 6. 10 thereof, & Accompt for the Remaining £6. 9. 2 as follows, Viz £2. 5. 2 their Due by Law, £4 for book keeping, and the sum of £10. 5 Outstanding Intrest Money, and the sum of £137 of the Principal money being in thier Hands & not Let out

House Journal, p. 46. Province Laws, ii., 61, chap. 18. *Ante*, p. 397, chap. 341. *Infra*, chap. 346.

Resolved that the said Accompt be Accepted, And the Commis^rs the Accomptants be & hereby are Discharged from the Said Sum of thirty Six Pounds Sixteen Shillings & ten pence [1] received for Intrest of the said Loan ye Said Year; Excepting the sum of Ten pounds five Shillings Outstanding Intrest Money, Which the Commis^rs are Still Accomptable for, the sum of one hundred & thirty Seven Pounds of the principal being then In their Hands & not Let out. [*Passed December 14.*

CHAPTER 346.

RESOLVE ON ACC^OTS OF THE COMMS^RS OF THE £100,000 LOAN FOR THE CO^Y OF SUFFOLK.

Two Accompts of the Commis^rs of the £100,000 Loan for the County of Suffolk, from February 1718, to February 1720,

Legislative Records of the Council, xii., 120.

It Appearing by these two Accompts Begining the 13th of February 1718. 19. and Ending the 13th of February 1720. 1 that the said Commis^rs have Received of Sundry persons for Intrest of the said Loan the sum of £2,728. 12. 7 & have paid Into the Treasury the sum of £2,624. 0. 9 Thereof, & Accompt for the Remaining £104. 11. 10 as follows Viz^t £78. 16 their Due by Law, £10 for Book Keeping £15. 15. 10 Paid for Charges of Law Suits, & the Sum of £180. 11. 3 Outstanding Intrest Money;

House Journal, p. 44. Province Laws, ii., 61, chap. 18. *Supra*, chap. 345. *Infra*, chap. 347.

Resolved that the said Commis^rs Accompts be Accepted. And that they be & hereby are Discharged from the said Sum of two thousand Seven Hundred & twenty eight Pounds twelve Shillings & Seven Pence Excepting Excepting [2] the two Last Articles, Viz., £15. 15. 10 & the £180. 11. 3 Amounting to One hundred Ninety Six Pounds Seven Shillings & one penny, Which they are further to be Accomptable for, The Said Commis^rs then having in their Hands £836. 9. 6 of the principal Money & not Let out [*Passed December 14.*

[1] The House Journal reads, £42. 16.
[2] *Sic.*

CHAPTER 347.

RESOLVE ON ACC^O^ OF THE COMMIS^RS^ OF Y^E^ £100,000 LOAN FOR THE CO^Y^ OF HAMPSHIRE.

Legislative Records of the Council, xii., 121.

House Journal, p. 45. Province Laws, ii., 61, chap. 18. *Supra*, chap. 346. *Infra*, chap. 348.

FOUR ACCOMPTS of the Commis^rs^ of the £100,000 Loan for the County of Hampshire from February 1718 to February 1722,

It Appearing by these four Accompts Begining The 13th of February 1718. 19 & Ending the 13th of February 1722. 3 That the said Commis^rs^ the Accomptants have Received of Sundry Persons for Intrest of the Said Loan the said four Years £937. 0. 4^d^ and have paid Into the Treasury £388. 9. 8 thereof, & Accompt for the Remaining £548. 10. 8 as follows, Viz^t^ £17. 17. 2 their Due by Law, £13. 5 Paid Charges of Law Suits & £16 for Book keeping, & the several Sums of £46. 11 & £4. 6 paid themselves as is herein More Particularly inserted.

Resolved that the three Last Accompts be not Accepted nor Allowed. but that the said Commis^rs^ do forthwith pay into the Treasury the Sum of five hundred & one Pounds eight Shillings & Six Pence, And that they thereupon be Discharged from the said sum of Nine hundred thirty Seven Pounds & four Pence. so much they have received for Intrest of the said Loan And further that they are Accomptable for the sum of £230 Principal Money, £27. 10. 9 Intrest thereon, & £13. 5 Charges of Law Suits for which they have Recover'd Judgment There being Also £63. 10 of the principal Money in their Hands & not Let out. [*Passed December 14.*

CHAPTER 348.

RESOLVE ON ACC^O^ OF THE COMMIS^RS^ OF THE £100,000 LOAN FOR THE CO^Y^ OF MIDDLESEX.

Legislative Records of the Council, xii., 121.

House Journal, p. 45. Province Laws, ii., 61, chap. 18. *Supra*, chap. 347.

THREE ACCOMPTS of the Commis^rs^ of the £100,000 Loan for the County of Middlesex from February 1719, to February 1722,

It Appearing by these three Accompts that the Commis^rs^ have Received of Sundry Persons for Intrest of the said Loan from the 13th of February 1719. 20. to the 13th february 1722. 3. the sum of £2,452. 8. 10 And have paid Into the Treasury £2,232. 13. 8 thereof, & Accompt for the Remaining £219. 15. 2 as follows Viz^t^ £77. 3. 4 their Due by Law £25 for Book keeping, £6. 5 Extraordinary Attendance £111. 6. 10 paid Charges of Law Suits, and the sum of £731. 2. 11 out Standing Intrest Money

Resolved that the said Accompts be Accepted And the Commis^rs^ be and hereby are Discharged from the said sum of Two Thousand four Hundred fifty two Pounds eight Shillings & Ten pence Excepting the two last Articles Amounting to Eight hundred forty two pounds Nine Shillings & Nine Pence, Which the said Commis^rs^ are further to be Accomptable for, The sum of Two hundred & Ninety Pounds of the principal Money being in their Hands & Not Let out. [*Passed December 14.*

CHAPTER 349.

ELISHA COOK ESQR ELECTED AGENT.

Legislative Records of the Council, xii., 122.

Legislative Records of the Council, xii., 103, 106, 110. House Journal, pp. 50, 51, 52, 53, 55. *Ante*, p. 394, chap. 331.

THIS DAY Elisha Cook Esqr was Elected by the Major Part of the votes of the Council & Represents Agent for this province to be Joind with Jeremiah Dummer Esqr now In London & to appear at the Court of Great Britian in Behalf of the province in the Defence & for the Prolongation of our Charter Privileges. [*Passed December 14.*[1]

CHAPTER 350.

ORDER ON COMMTEE REPORT FOR A NEW PRECINCT IN BRIDGWATER.

Legislative Records of the Council, xii., 122.

House Journal, p. 54. *Ante*, p. 295, chap. 19.

IN OBEDIANCE to an Order of the General Court bearing Date June 13th 1723 The Committee Appointed to Repair to Bridgewater & hear the Pleas & Allegations of all parties, & View the Town & Consider the Scituation & Circumstances of the Several Parts thereof, and Make Report Whether they Judge it Reasonable that the east end of the North Precinct be Set off as a Seperate Precinct, and if so Whether any or all of the thirteen or fourteen famly's prayed for from the south Precinct ought to be added to them, And by What Lines or Bounds the said East precinct Should be set off.

Having Accordingly Met togather at Bridgewater aforesaid on the eighth of July 1723 & preform'd the service Aforesaid are humbly of Opinion that the east end of the North Precinct be sett of as a Saparate Precinct, when they have procured a Constant Learned & Orthodox Minister among them, And that the Dividing Line between the East & West Precinct, be a North & South Line from the Center, And that Nine of the thirteen or fourteen families prayed for, from the south Precinct; vizt the Families of Barnabas Seabury, Thomas Latham, Charles Latham Nicholas Wade, Nathl Harding, Thos Hooper, Wm Connet, Isaac Lassel, & Joseph Washburn (Six of Which have Signed with the petitioners) be sett off to the said East Precinct, and that the great Road, which Leads from Plymouth to the Town of Bridgewater be the Dividing Line between the south & East Precincts & that they be free'd from bearing any Charge in the south Precinct ISAAC WINSLOW
pr order of the Committee

Read & Accepted, &

Ordered[2] that the east End of the North Precinct of Bridgewater be Set off a Destinct Precinct Accordingly. [*Passed December 14.*

CHAPTER 351.

RESOLVE ALLOWING £15. 14. 3 TO DR SAML MOODY.

Legislative Records of the Council, xii., 123.

House Journal, p. 52.

AN ACCOMPT Presented by Dr Samuel Moody one of the Surgeons of the forces Eastward under the Command of Coll Thomas Westbrook of Wages due for his Service from Sept 9th to Decemr 5th 1723 Amounting to £15. 14. 3.

[Read and]

[1] The House Journal (pp. 53, 55) leaves a doubt about the date.
[2] In the House Journal, "*Resolved.*"

Resolved that the sum of fifteen pounds fourteen Shillings & three pence be Allowed & Paid out of the publick Treasury to the Accomptant Dr Samuel Moody In full Discharge of the within Accompt. [*Passed December 14.*

CHAPTER 352.

VOTE APPOINTING FURTHER COMMISRS OF THE £100,000 LOAN FOR THE COUNTY OF ESSEX.

Legislative Records of the Council, xii., 125.

House Journal, p. 55. Province Laws, ii., 61, chap. 18.

A MEMORIAL of Benjamin Lynde & John Turner Esqrs two of the Surviving Commisrs of the £100,000 Loan for the County of Essex. Shewing that Daniel Rogers & Henry Somersby Esqrs are taken off by Death & Walter Price Esqr is Disabled by Sickness & Refuses to Act in Said Office. That the Memorialists have Applyed to the quarter Sessions for Said County Desiring them to fill up the said Vacancies, Who had Appointed Several persons to that Office, but they Refused to Under take it. & therefore praying that this Court would Supply the said Vacancies with some Suitable persons

Read &

Voted that Capt Peter Osgood & Capt Daniel Epes of Salem, & Capt Richard, Kent of Newbury be added to the said Commisrs Who are in all things directed to Observe the Laws Respecting the Letting out & Calling In the said hundred Thousand pounds Loan & the Intrest that may Arise thereon. [*Passed December 17.*

CHAPTER 353.

RESOLVE ALLOWING £3 TO JOSIAH SHELDEN.

Legislative Records of the Council, xii., 126.

House Journal, p. 56.

A PETITION of Josiah Shelden praying the Court would make him Some Suitable Allowance for his Coming Express from Northampton to Boston with a Publick Letter from Colo John Schuyler

Read &

Resolved that the Sum of Three pounds be Allowed & Paid out of the publick Treasury to the petitioner Josiah Shelden in full for the Service Mention'd in the Petition. [*Passed December 17.*

CHAPTER 354.

RESOLVE ON SOLDIERS PETITION REFERING TO THE QUEENS ARMS.

Legislative Records of the Council, xii., 128.

Legislative Records of the Council, ix., 119. House Journal, pp. 11, 42.

A PETITION of Divers Soldiers in the late Expedition to Canada Shewing that by the Late Queens Bounty they were Entituled to the Arms Sent by her Majestie to Encourage their Enlisting, but that after their Return from the said Intended Expedition they were Obliged to give up their Arms to the order of the Governt Praying that the Said Arms may be now Restored to them

Read &

Resolved that the sum of Fifty[1] Shillings be Allowed & Paid out of the publick Treasury to Each of the Officers & Soldiers in the Expedition Against Canada Anno Domini 1711 or their legal Represents Mas-

[1] The House Journal reads, 40/.

ters or Parents who have Return'd into the Province Store their Arms or Fire Locks in that Year, in full Consideration of the Same. [*Passed December 18.*

CHAPTER 355.

ORDER ON SAM^L BAILEY'S PETITION, CHANCERING A JUDGMENT AGAINST HIM ON A BOND.

A Petition of Samuel Bailey of Boston Sail Maker, Shewing that the Adminis^rs of the estate of George Whithorn Dec^d recovered Judgm^t of the petitioner for the Sum of £61. 5 Silver Money, being for his Bond to the Said Whithorn, From Which Judgment the petitioner Appealed to the Superiour Court of Judicature, That there is owing from the estate of the Said Whithorn to the petitioner a Considerable Sum for Goods taken up by the said Whithorn Since the Date of the said Bond, Which he Can not be paid out of the Said estate, the same being Insolvent, & therefore praying that this Court would Impower the Justices of the superiour Court in making up Jndgement on the Said Bond to Discount what he shall make appear to be Justly Due to him out of the said Estate, or that he may be Otherwise relieved as to this Court Shall seem most fit,

Legislative Records of the Council, xii., 129.

House Journal, pp. 63, 64.

Read &

Ordered that the Justices of the Superiour Court of Judicature be & hereby are Authorized & Impowred In Chancering the Bond refer'd to In this Petition to Discount to the petitioner Such Sum or Sums Refer'd to In the Petition, as Upon Examination, Shall appear Justly Due to him from the Estate of George Whithorn Deces^d any Law Usage or Custom to the Contrary Notwithstanding. [*Passed December 19.*

CHAPTER 356.

ORDER ON ATTORNEY GENERALS MEM^O REFERRING TO PROVINCE LANDS NEAR DORCHESTER.

A Copy of the Report respecting Province Lands near Dorchester & the order of the Court thereon Enter'd June 29, 1723, togather with a Memorial of John Read Esqr Attorney General, Moving that a Committee be appointed by the Court in their Name & for the use of the Province as Plantiffs to prosecute the Intruders on the said Province-Lands to a final Judgement.

Legislative Records of the Council, xii., 129.

House Journal, p. 67. *Ante*, p. 319, chap. 84.

Read &

Ordered that Sam^ll Thaxter, Robert Spurr & John Quincy Esq^rs (the former Committee) or any two of them be & hereby are fully Impower'd in Behalf of the province to Commence an Action or or[1] Actions of Trespass & Ejectment Aginst Daniel Howard, Robert Howard, Joseph Snell, & Ephraim Fobes, or Other the Terre Tenants for Recovery for Recovery[1] & Possession of a Tract of Province Land Refer'd to In the report & Order on the other side. [*Passed December 19.*

[1] *Sic.*

CHAPTER 357.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAPT EBER POMROY & COMPY.

Legislative Records of the Council, xii., 130.

House Journal, p. 61.

A MUSTER ROLL. of the Company. drawn out of the Militia for the Relief of Northfield when Attack'd under the Command of Capt Ebenr Pomroy, Contaning an Accompt of Wages due to them for their said Service togather with horse hire & Subsistance, Amounting to the sum of £34. 3. 10.

[Read, and]

Resolved that the sum of thirty four Pounds three Shillings & ten pence be Allowed & paid out of the publick Treasury to Collo John Stoddard, to be by him Repaid to the persons to Whome the Same is Respectively Due as Inserted in the Above Roll in full Discharge of the Wages & Subsistance on the same. [*Passed December 19.*

CHAPTER 358.

RESOLVE ALLOWING PAYMENT OF CAPT JOHN FOWLES MUSTER ROLL.

Legislative Records of the Council, xii., 130.

House Journal, p. 60.

A MUSTER ROLL of the Troop of horse in his Majesties Service on the frontiers under the Command of Capt John Fowle Contaning an Acco of Wages due to them for their Service from the 27th of Septr 1723. to the 12th of October following, togather with their Subsistance & the Hire & Forrage of their Horses, Amounting to the Sum of £131. 0. 10.

[Read, Accepted and]

Resolved that the sum of one hundred & thirty one pounds & ten pence, be Allowed & Paid out of the publick Treasury to the said Capt John Fowle, to be by him repaid to the Offi[c]ers & Soldiers born on the Within Roll, & the Persons who have Subsisted them & their horses In full Discharge of the Wages & Subsistance thereof. [*Passed December 19.*

CHAPTER 359.

RESOLVE ALLOWING PAYMENT OF CAPT JONA RICHARDSN MUSTER ROLL.

Legislative Records of the Council, xii., 130.

House Journal, p. 59.

A MUSTER ROLL of the Company of Voluntiers in his Majesties Service on the frontiers under the Command of Capt Jonathan Richardson, Contaning an Accompt of Wages Due to them for their Service from the fourth of Novemr 1723 to the 6th of Decemr following, Amounting to the sum of £85. 16. 3 & £36. 10. 10 for Subsistance.

[Read, Accepted and]

Resolved that the sum of Eighty five Pounds Sixteen Shillings & three pence be Allowed & paid out of the publick Treasury unto the said Capt Jonathan Richardson, & the Officers & Soldiers born on the Within Roll. in full Discharge thereof, and that the further Sum of thirty Six Pounds Ten Shillings & ten Pence be Allowed & Paid out of the publick Treasury to the said Jonathan Richardson to be by him Repaid to the Persons that have Subsisted the Said Men, Alwaies Excepting & Reserving what Mr Treasurer has Advanced for Subsistance to them. [*Passed December 19.*

CHAPTER 360.

RESOLVE ALLOWING PAYMENT OF CAPT JOHN BILLINGS MUSTER ROLL.

A MUSTER ROLL of the Troop of horse late In his Majesties Service on the frontiers under the Command of Capt John Billings Containing an Accompt of Wages due to them for their Service from the 13th to the 30th of September 1723 Togather with their Subsistance & the Hire & forrage of their horses the said Time, Amounting to the sum of £130. 0. 1.

Legislative Records of the Council, xii., 130.

House Journal, p. 60.

[Read, Accepted and]

Resolved that the sum of one hundred & thirty Pounds & one Penny be Allowed & Paid out of the publick Treasury to the said Capt John Billing, to be by him Repaid to the officers & Soldiers born on the Within Roll, in full Discharge of the Wages & Subsistance thereof. [*Passed December 19.*

CHAPTER 361.

RESOLVE ALLOWING PAYMENT OF CAPT SAM WRIGHTS MUSTER ROLL.

A MUSTER ROLL of the Scouts in the towns of Rutland, Worcester Leicester. & Shrewsbury, Under the Command of Capt Saml Wright, Containing an Accompt of Wage Due to them for their Service from the Eighteenth of Augst 1723 to the 9th of Novemr following Togather with Subsistance the said time, Amounting, to the Sum of £224. 4. 8.

Legislative Records of the Council, xii., 131.

House Journal, p. 60.

[Read, Accepted and]

Resolved that the sum of two hundred & twenty four pounds. four Shillings & Eight pence be Allowed & paid out of the publick Treasury to the said Capt Saml Wright to be by him Repaid to the Officers & Soldiers born on the Within Roll & the persons that have Subsistd them in full Discharge of ye Wages & Subsistance due thereon, First deductg what ye Treasr has Already Pd for Subsistance. [*Passed December 19.*

CHAPTER 362.

RESOLVE ALLOWING PAYMENT OF CAPT JOHN WINCHESTERS MUSTER ROLLE.

A MUSTER ROLL of the Troop of Horse Late In his Majtyes Service Under the Command of Capt John Winchester, Containing an Accompt of Wages Due to them for their Service from the 30th of August 1723 to the 22d of Septr following togather with thier Subsistance & the Hire & forrage of thier Horses the said time, Amounting to the sum of £155. 14. 5.

Legislative Records of the Council, xii., 131.

House Journal, p. 60.

[Read, Accepted and]

Resolved that the sum of one hundred & fifty five pounds fourteen Shillings & five pence be Allowed & Paid out of the publick Treasury to the said Capt John Winchester, to be by him Repaid To the officers, & Soldiers & Inhabitants, Who have Subsisted them & their horses In full Discharge of the Wages & Subsistance due on the within Roll. [*Passed December 19.*

CHAPTER 363.

RESOLVE ALLOWING £27. 9. 6 TO DISCHARGE CALEB BROOKS ACC° OF TROOPERS.

Legislative Records of the Council, xii., 132.

House Journal, p. 57. *Ante*, p. 275, chap. 338.

AN ACCOMPT presented by Caleb Brooks, of Wages Due to him Self. & Nine others Troopers that Attended the Commis^rs to Albany the Last Summer, Amounting to the sum of £27. 9. 6.

[Read, Accepted and]

Resolved that the sum of Twenty Seven pounds. Nine Shillings & Six Pence be Allowed & Paid out of the Publick Treasury to the Said Caleb Brooks & the other Men Mentioned in the Accompt in full Discharge thereof. [*Passed December 19.*

CHAPTER 364.

RESOLVE ALLOWING £4 TO JOS^H JENNINGS.

Legislative Records of the Council, xii., 132.

House Journal, p. 57. *Ante*, p. 347, chap. 173.

AN ACCOMPT presented by Mr Joseph Jennings of Horse Hire Time & Expences in Conducting the Delegates from Springfield to Boston, Amount^g to the sum of four Pounds,

[Read, and]

Resolved that the sum of four Pounds be Allowed & Paid out of the publick Treasury to the Accomptant. In full Discharge of this Accompt. [*Passed December 19.*

CHAPTER 365.

Legislative Records of the Council, xii., 131.

Legislative Records of the Council, xii., 124. House Journal, pp. 52, 66. *Ante*, p. 19, chap. 36.

VOTE OF INSTRUCTIONS TO Y^E AGENTS REFERRING TO PATRIDGE & RICHARDSONS MEM° TO THE KING.

THE COMMITTEE appointed to Consider the Memorial of Richard Partrige & Thomas Richardson &c[1] Reported Several Instructions[2] to be given to the Agents of this Province for the Defence of the Government against the said Complaint Which Were Read & ACCEPTED. [*Passed December 20.*[3]

CHAPTER 366.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE SLOOP MERRY MEETING CAP^T THO^S SAUNDERS.

Legislative Records of the Council, xii., 133.

A MUSTER ROLL of the Sloop Merry Meeting (a Transport in the Service) Thomas Saunders Master. Containing an Accompt of Wages

[1] "Complaining Against the proceedings of this Government In taxing the Towns of Dartmouth & Tiverton for the Support of the Ministry, was brought up from the House & Read in Council.

In the House of Represent^s

Ordered that Elisha Cook, Wm Dudley, Jonathan Remington & John Stoddard Esq^rs with Such as the Hon^d Board Shall Appoint be a Committee to take Under Consideration the Memorial of Mr Richard Patridge &c to the King in behalf of Sundry persons Called Quakers, And Make Report of What they are of Opinion may be proper for the Court to Do thereon.

In Council Read & Concurd, & Thomas Fitch & Samuel Thaxter Esq^rs are Joined in the Affiar Above." — Legislative Records of the Council, xii., 124.

[2] No copy of these instructions has been found.

[3] This date is according to the House Journal, p. 66. Legislative Records of the Council, xii., 131, enters it as of December 19.

Due to the Said Master & Company for their Service & Hire of the said Sloop from the 14th of June to the 12th of Decer 1723 Amounting to the sum of £238. 3. 6.

House Journal, p. 60.

[Read, accepted and]

Resolved that the sum of two hundred & thirty Eight Pounds three Shillings & Six pence be Allowed & Paid out of the publick Treasury to the within Named Thos Saunders & the men Born on the Within Roll in full for the wages & Sloop Hire thereof. [*Passed December 20.*

CHAPTER 367.

RESOLVE ALLOWING PAYMENT OF CAPT ENOCH LOVELS MUSTER ROLL.

A Muster Roll of the Troop of horse in his Majesties Service under the Command of Capt Enoch Lovel, Containing an Accompt of Wages due to them for their Service on the frontiers from the 27th of Septemr to the 12th of October 1723, with their Subsistance & the Hire and forrage of their Horses Sd time Amounting to the sum of £126. 17. 3.

Legislative Records of the Council, xii., 133.

House Journal, p. 67.

[Read, Accepted and]

Resolved that the sum of one hundred twenty Six Pounds Seventeen Shillings & three pence be Allowed & paid out of the publick Treasury to Capt Enoch Lovel, to be by him Repaid to the Officers & Soldeers Born on this Roll, & the persons that Subsisted the Men & their Horses In full Discharge thereof. [*Passed December 20.*

CHAPTER 368.

RESOLVE ALLOWING £10 TO DANIEL BAGG.

Resolved that the Sum of Ten Pounds be Allowed & paid out of the publick Treasury to Mr Daniel Bagg. to be by him Repaid to the Adminisrs on the Estate of Saml Ashley In full Satisfaction for What he Obliged himself to pay to Jonas Dow for Subsisting one Beaveneau a french Man. [*Passed December 20.*

Legislative Records of the Council, xii., 133.

House Journal, p. 57.

Ante, p. 310, chap. 57.

CHAPTER 369.

RESOLVE ALLOWING £8 TO Wm WOODWARD.

A Petition of William Woodward, Praying that he may be Allowed the sum of eight pounds, being the Charges of his Sickness in the service.

Legislative Records of the Council, xii., 134.

Read, &

House Journal, p. 64.

Resolved that the sum of eight Pounds be allowed & paid out of the publick Treasury to the petitioner William Woodward. in full Satisfaction for the Charges Within Mentioned. [*Passed December 20.*

CHAPTER 370.

RESOLVE ALLOWING £43. 9. 3 TO PETER FRAIZER.

Legislative Records of the Council, xii., 134.

House Journal, p. 65.

AN ACCOMPT presented by Peter Frazier of the Expence of Mes^rs^ De Le Ronde, & Le Gosse french Gentlemen from Canada & their Attendance Amounting to the sum of £43. 9. 6.

[Read, accepted and]

Resolved that the sum of forty three Pounds, Nine Shillings & three[1] pence be Allowed & Paid out of the publick Treasury to the Accomptant Peter Fraizeir in full Discharge thereof. [*Passed December 20.*

CHAPTER 371.

RESOLVE ALLOWING £60 TO THE COMMIS^RS^ WHO TREATED WITH Y^E^ SIX NATIONS.

Legislative Records of the Council, xii., 135.

House Journal, p. 66.
Ante, p. 275, chap. 338.

Resolved that the sum of Sixty Pounds be Allowed & Paid out of the publick Treasury to William Tailer. Spencer Phips & John Stoddard Esq^rs^ Commis^rs^ Late on a Treaty Held with the Six Nations at Albany in full Satisfaction for their Services on that Treaty, To be paid them in Equal proportion. [*Passed December 20.*

CHAPTER 372.

RESOLVE ALLOWING £6. 9. 3 TO JON^A^ BELCHER ESQ^R^ & JON^A^ WILLIAMS.

Legislative Records of the Council, xii., 136.

House Journal, p. 68.
Ante, p. 368, chap. 248; p. 369, chap. 252.

AN ACCOMPT of Sundrys Supplied the Delegates of the eight Nations by Jonathan Belcher Esqr & Mr Jonathan Williams, Which were Omitted in the Acc^ots^ Pass'd the Last Sessions, Amounting to the sum of £6. 9. 3.

[Read, and]

Resolved that the sum of Six Pounds Nine Shillings & three pence be Allowed. & Paid out of the publick Treasury to Thos Fitch Esqr for the Use of the Accomptants. [*Passed December 23.*

CHAPTER 373.

RESOLVE ALLOWING £43. 14. 8 TO DAVID MELVIL.

Legislative Records of the Council, xii., 137.

House Journal, p. 65.

AN ACCOMPT presented by David Melvil Prison Keeper of the Charge of Subsisting divers Indian prisoners & Several of the Maqua Indians &c to the 14th Curr^t^ Amounting to the sum of £68. 9.

[Read, accepted and]

Resolved that the sum of forty three pounds fourteen shillings & Eight Pence be Allowed & Paid out of the publick Treasury to the Accomptant David Melvil, In full Discharge of the Above Accompt, Agreeable to the Committees Report. [*Passed December 23.*

[1] The House Journal reads, £43. 9. 6.

CHAPTER 374.

RESOLVE ALLOWING PAYMENT ON CAPT DANIEL GOOKINS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service under the Command of Capt Daniel Gooking, Containing an Accompt of Wages Due to them for thier Service in the Eastern Parts from the 24th of June 1723, to the 26th of Novr following, Amounting to the sum of £417. 7. 4.

Legislative Records of the Council, xii., 137.

House Journal, p. 68.

[Read Accepted and]

Resolved that the sum of four hundred & Seven pounds seven Shillings & four Pence be Allowed & Paid out of the Publick Treasury to the said Capt Daniel Gooking & the other Officers & Soldiers born on this Roll to Whome the same is Respectively Due Agreeable to the Commtt Report. In full Discharge of this Roll. [*Passed December 23.*

CHAPTER 375.

RESOLVE ALLOWING PAYMENT ON CAPT JNO PENHALLOWS MUSTER ROLL.

A MUSTER ROLL, of the Company in his Majesties Service on the Eastern Frontiers under the Command of Capt John Penhallow, Containing an Acco of Wages Due to them for their Said Service from the 20th of June 1723 to the first of Decemr following, Amounting to the sum of £480. 12. 2.

Legislative Records of the Council, xii., 137.

House Journal, p. 68.

[Read Accepted and]

Resolved that the sum of four hundred & Seventy Eight Pounds twelve Shillings & two Pence be Allowed & Paid out of the publick Treasury to the said Capt John Penhallow & other officers & Soldiers born on this Muster Roll. (to Whome the same is Respectively Due, Agreeable to the Committees Report). In full Discharge thereof. [*Passed December 23.*

CHAPTER 376.

RESOLVE ALLOWING £300 TO HIS HONOUR THE LIEUT GOVR.

Resolved that the sum of Three hundred Pounds be Allowed & Paid out of the publick Treasury to his Honour William Dummer Esqr Lieutr Govr & Commander In Chief of this his Majesties Province for his Support in Managing ye Affairs of ye Governmt. [*Passed December 23.*

Legislative Records of the Council, xii., 137.

House Journal, p. 69.

CHAPTER 377.

RESOLVE ALLOWING £140 TO JOSIAH WILLARD ESQR SECRY.

Resolved that the sum of one hundred & forty Pounds be Allowed & Paid out of the publick Treasury to Josiah Willard Esqr Secretary of this Province for his Extraordinary Service in the Year Past, and

Legislative Records of the Council, xii., 137.

House Journal, p. 69.

that the further Sum of forty Pounds be Allowed & Paid him out of the Publick Treasury In Consideration of the publick Affairs at this time Time[1] Calling for sundry things to pass that Office Necessarily Requiring a More Strict Attendance from him to Effect those Matters, many of Which have no Stated fee or Allowance. [*Passed December 23.*

CHAPTER 378.

RESOLVE ALLOWING £20 TO THE CLERK OF THE HOUSE FOR TRANSCRIBING VOTES &c.

Legislative Records of the Council, xii., 138.

House Journal, p. 69.

Resolved that the sum of twenty Pounds be Allowed & Paid out of the publick Treasury to John Wainwright Esqr Clerk of the House for his Trouble in preparing the votes of the house, And his Extraordinary Service & Attendance on the House Happening this present Year in the Recess of the Court. [*Passed December 23.*

CHAPTER 379.

RESOLVE ALLOWING £30 TO THE CLERK OF THE HOUSE.

Legislative Records of the Council, xii., 138.

House Journal, p. 69.

In the House of Represent^s

Resolved that the sum of thirty pounds be allowed & Paid out of the publick Treasury To John Wainwright Esqr Clerk of this House for his Service in the Year Current,

In Council Read & Concurd. [*Passed December 23.*

CHAPTER 380.

RESOLVE ALLOWING £5 TO THE CHAPLAIN OF THE HOUSE.

Legislative Records of the Council, xii., 138.

House Journal, p. 69.

In the house of Represent^s

Resolved that the sum of five Pounds be Allowed & Paid out of the publick Treasury to Mr Ezekiel Lewis to be Delivered to the Reve^d Mr Joseph Sewall with the Thanks of this House for his Service to them,

In Council; Read & Concurd. [*Passed December 23.*

CHAPTER 381.

RESOLVE ALLOWING £30 TO JOHN FLAG DOOR KEEPER.

Legislative Records of the Council, xii., 138.

House Journal, p. 70.

Resolved that the sum of thirty Pounds be allowed & Paid out of the Publick Treasury to John Flagg. Door Keeper to this Court, for his Extraordinary Service, (and his Sons Attendance also included) for half a Year, Which will end the twenty Sixth Current. [*Passed December 23.*

[1] *Sic.*

CHAPTER 382.

RESOLVE ALLOWING 37/ 6 TO JN° FLAGG.

An Accompt of Disburstments. for horse hire &c for the service of the Goverm^t presented by John Flagg. Amounting to 37/ 6.

[Read and]

Resolved that the sum of thirty Seven Shillings & Six pence be Allowed & Paid out of the publick Treasury To John Flagg Door Keeper In full of his Accompt for Charge & Disburstments In the Service of the Province. [*Passed December 23.*

Legislative Records of the Council, xii., 138.

House Journal, p. 70.

CHAPTER 383.

ORDER FOR LIEU^T JN° LARRABEES VICTUALING Y^E GARRISON AT CASTLE WILLIAM.

Resolved that Lieut^t John Larrabee of his Majesties Castle William be & hereby is Impower'd to Victual the Garrison there till ye further orders of this Court, And that he be Allowed six Shillings pe^r Week per Man. for Victualing the Said Garrison, And that Mr Treasurer be Directed to Advance & pay to Said Larrabee Six Months pay for Vitcualing[1] Said garrison According to this Establishment. Taking Security of him for the trew & faithfull Expence thereof. [*Passed December 23.*

Legislative Records of the Council, xii., 138.

House Journal, p. 70.

CHAPTER 384.

RESOLVE ALLOWING MR TREASURER ALLENS ACC° OF DISBURSTM^TS.

An Accompt presented by Mr Treasurer Allen of Disburstments for Provisions & Clothing for the forces in his Majesties Service, Togather with incidental Charges. Amounting to the sum of £4,995. 18. 10.

[Read, and]

Resolved that Mr Treasurer Allen be & hereby is Discharged of the sum of Four thousand. Nine hundred & Ninety five Pounds eighteen Shillings & ten pence in full of his wi[t]hin Accompt of Disburstments. [*Passed December 23.*

Legislative Records of the Council, xii., 138.

House Journal, pp. 18, 19.

CHAPTER 385.

RESOLVE ALLOWING PAYMENT ON ACC° OF THE REPAIRS OF THE CASTLE & THE LIGHT HOUSE.

An Accompt. presented by the Committee of both Houses appointed to effect the Repairs at Castle William &c, of Charges for Work & Materials in the Said Repairs at Castle William. & Light house.

Read [Accepted] &

Resolved that there Be Allowed & paid out of the publick Treasury to Adam Winthrop Esqr In Behalf of the said Committee the sum of

Legislative Records of the Council, xii., 139.

House Journal, p. 70.

Ante, p. 300, chap. 32.

[1] *Sic.*

three hundred thirty two Pounds Six Shillings & ten Pence to be paid to the several Persons to Whome the same is resp[e]ctively Due as by said Accompt in full Discharge thereof. [*Passed December 23.*

CHAPTER 386.

RESOLVE ALLOWING £13. 3. 7 TO EDWARD WINSLOW.

Legislative Records of the Council, xii., 139.

House Journal, p. 70.

AN ACCOMPT presented by Mr Sheriff Winslow of Disburstments for Work Done at the Gover^rs House, Amounting to the sum of £13. 3. 7.

[Read, Accepted and]

Resolved that the sum of thirteen pounds three shillings & Seven pence be Allowed & Paid out of the publick Treasury to Edward Winslow Esqr in full Discharge of this Accompt. [*Passed December 23.*

CHAPTER 387.

RESOLVE ALLOWING £23. 12 TO DR GEORGE PEMBERTON.

Legislative Records of the Council, xii., 140.

House Journal, p. 73.

AN ACCOMPT presented by George Pemberton Surgeon of the Garrison at his Majesties Castle William of Medicines & Attendance on the said Garrison to the 23^d of Novem^r Last, Amounting to the sum of £23. 12.

[Read, and]

Resolved that the sum of Twenty three Pounds twelve shillings be Allowed & Paid out of the publick Treasury to Dr George Pemberton in full Discharge of this Acc^o. [*Passed December 23.*

CHAPTER 388.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF N^o FIELD SCOUT.

Legislative Records of the Council, xii., 140.

House Journal, p. 71.

A MUSTER ROLL of the Scout at Northfield Under the Direction of Capt Benj^a Wright., Containing an Accompt of Wages & Subsistance due for their Service, Amounting to the sum of £64. 0. 9.

[Read, and]

Resolved that the sum of Sixty four pounds & Nine pence be Allowed & Paid out of the Publick Treasury to Coll^o Saml Partridge, to be by him Repaid to the several persons. to Whom the same is Respectively due for the Wages & Subsistance of the Above Roll. In full Discharge of the same. [*Passed December 23.*

CHAPTER 389.

ORDER ON REPORT REFERRING TO PEICES OF BASE METTAL.

Legislative Records of the Council, xii., 139.

THE COMMITTEE appointed to Consider of and make Report Concerning the Bringing into the Province Quantities of Base & Mixed Mettal, are of Opinion, That the passing, Uttering or Vending any Such base

or Mixed Mettal in greater or Smaller Peices of Coin in Barter or Exchange as a Medium of Trade, at Excessive or Exorbitant Prices may tend Much to the Depreciating of the Bills of Credit of this and the Neighbouring Provinces & Coloneys & may prove of pernicious Consequence to the Inhabitants thereof, for Preventing Whereof, the Committee are further humbly of Opinion That his Honour the Lieut Govr be Desired by this Court to Issue forth a proclamation, forbidding all and any Person or Persons, to Utter, Pass or Receive any Peices of such Base & Mixed Mettal, as a Medium of Trade in payments, Barter or Exchange

Legislative Records of the Council, xii., 102. House Journal, p. 74.

In Council; Read; & Not Accepted &

Ordered that a Bill be brought in to forbid all persons (under Certain penalties [1] to Utter pass or Receive any peices of Base or Mixed Mettal, as a Medium of Trade &c,

In the House of Represent^s Read & Concur'd with an Amendment vizt That the bill be brought In the Next May Sessions

In Council; [Read] & Concurd. [*Passed December 24.*

CHAPTER 390.

RESOLVE ALLOWING £8. 11. 6 TO THO^S BUCKMINSTER.

A Petition of Thomas Buckminster praying that he may be Allowed his Wages for Serving as a Serjant of a Scout on the frontiers of the County of Middlesex from the 27th of August to the 24th of Novr 1722, his Said Wages being Stop'd in the Treasury till he Should Shew the reason of his entering Several Inhabitants of Groton, the Said Men being Enterd by the Express order of Cap: Saml Willard & Not by his own Authority.

Legislative Records of the Council, xii., 141.

House Journal, p. 73 (Jan., 1722); p. 65. *Ante*, p. 268, chap. 325.

Read [accepted] &

Resolved that the sum of Eight pounds Eleven shillings & Six pence be allowed & paid out of the publick Treasury to the Petitioner. Thomas Buckminster. In Answer to his Petition. [*Passed December 24.*

CHAPTER 391.

RESOLVE ALLOWING £39. 9. 2 TO SAM^L THAXTER ESQ^R.

An Accompt of Samuel Thaxter Esqr of a Quantity of Piles by him Supplyed for the Repairs of Castle William; Amounting to the sum of £39. 9. 2.

Legislative Records of the Council, xii., 141.

[Read, and]

Resolved that the sum of thirty Nine Pounds Nine Shillings & two Pence be allowed & Paid out of the publick Treasury To Coll' Saml Thaxter in full Discharge of this Accompt. [*Passed December 24.*

House Journal, p. 74. *Ante*, p. 411, chap. 385.

[1] The parenthesis, it seems, should close here.

CHAPTER 392.

RESOLVE ALLOWING £6. 3 TO JOS' JENNINGS ESQR.

Legislative Records of the Council, xii., 142.

House Journal, p. 77.

AN ACCOMPT presented by Joseph Jennings Esqr of the Billiting of two Soldiers at Brookfield, by Mr Thos Cheney, Amounting to the sum of £6. 3/.

[Read, and]

Resolved that the sum of Six Pounds & three Shillings be Allowed & Paid out of the publick Treasury to Joseph Jennings Esqr for the Use and Service of the Revd Mr Cheney of Brookfield in full full[1] Discharge of the Acco of Subsisting of the two Men Above. [*Passed December 25.*

CHAPTER 393.

RESOLVE ALLOWING £7. 1. 6 TO CAPT JOHN PENHALLOW.

Legislative Records of the Council, xii., 143.

House Journal, p. 75.

AN ACCOMPT presented by Capt John Penhallow of Disburstments for Mending Whale Boats &c. Amounting to the sum of £7. 1. 6.

[Read, Accepted and]

Resolved that the sum of seven Pounds one Shilling & Sixpence be Allowed & paid out of the publick Treasury to Capt John Penhallow in full Discharge of this Accompt. [*Passed December 25.*

CHAPTER 394.

VOTE FOR INSTRUCTIOS TO THE AGENTS REFERRING TO THE LINE ON NEW HAMPSHIRE.

Legislative Records of the Council, xii., 144. Mass. Archives, v., 4.

Mass. Archives, iii., 133, 134. House Journal, p. 6 (July, 1720); p. 75. *Ante*, p. 25, chap. 4s.

Voted that the Instructions sent to Mr Agent Dummer from this Court the 16th July and 23d of august 1720.[2] Referring to the Line between this Government and the Government of New Hampshire be given as Instructions to the joint Agents of the Province that they use the same with the Several Copies and Draft of Merrimack River therein referred to according to their best Discretion for the Settling and fixing the Line between us and the Governt of New Hampshire. [*Passed December 25.*

CHAPTER 395.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAPT KELLOGG & COMPANY.

Legislative Records of the Council, xii., 144.

House Journal, p. 69.

A MUSTER ROLL of the Company In his Majesties Service at Northfield Containing an Acct of Wages Due to them for their Service Under the Command of Capt Joseph Kellogg from the eighteenth of June 1723 to the 18th of Novemr following with Subsistance Said Time, Amounting to the sum of £361. 12. 11.

[1] *Sic.*

[2] In the Secretary's copy, Legislative Records of the Council, xii., 144, the year is given as 1722, which is a mistake.

[Read, Accepted and]

Resolved that the Sum of two hundred & forty Six Pounds twelve Shillings & Eleven Pence be Allowed & Paid out of the publick Treasury to Coll° Saml Partridge, to be by him Repaid to the Officers & Soldiers born on the Within Roll of Capt Kelloggs, And any Persons that have Supplied the Men in part of their Wages, And that the further sum of one hundred & fourteen pounds fifteen Shillings be Allowed & Paid out of the Publick Treasury to the said Saml Partridge & by him Repaid to the Persons that have Subsisted the Men Inserted In this Roll. [*Passed December 25.*

CHAPTER 396.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF AMESBURY SCOUT.

A Muster Roll of the Scout for the town of Amesbury Under the Command of Serjant John Blaisdel, Containing an Acc^t of Wages Due to them for their Service from the 3^d of September to the 4th of Decem^r 1723, And Subsistance the said time Amounting to the sum of £61.

Legislative Records of the Council, xii., 145.

House Journal, p. 71.

[Read, Accepted and]

Resolved that the sum of forty one Pounds one Shilling & four pence be Allowed & Paid out of the publick Treasury to the Officers & Soldiers born on this Roll. in full Discharge of the Wages thereof, And that the further Sum of Nineteen Pounds eighteen Shillings & Eight pence be Allowed & Paid out of the Publick Treasury to Mr Joseph Hoit, to be by him Repaid to the persons that have Subsisted them In full Discharge thereof. [*Passed December 25.*

CHAPTER 397.

RESOLVE ALLOWING £300 AS AN ADDITIONAL SUM TO THE AGENTS.

Resolved that the Treasurer be Directed to purchase an Additional Sum of three hundred pounds Sterling to be put Into the Agents of this Province to be employed for the Defence & Prolongation of our Charter Privileges, The expence Where of the Agents are to be Accomptable for to this Court. [*Passed December 26.*

Legislative Records of the Council, xii., 146.

House Journal, p. 69.
Ante, p. 394, chap. 331.

CHAPTER 398.

RESOLVE ALLOWING £100 ADDITIONAL FOR THE SERVICE OF Y^E PROVINCE.

In as Much as this Court have Directed Mr Treasurer Allen to furnish Mr Speaker Clark with one hundred Pounds Sterling to be employed for the Service of the province. as the House Should Direct, Which Sum may very Probably Prove too Small and Insufficient for the ends proposed;

Legislative Records of the Council, xii., 146.

House Journal, p. 75.
Ante, p. 394, chap. 331.

Therefore

Resolved that the Treasurer be further Directed to furnish Mr Speaker

with the Additional Sum of one hundred Pounds Sterling to be Employ'd in the service, & According to the Directions Aforesaid. [*Passed December 26.*

CHAPTER 399.

RESOLVE ALLOWING £300 TO MR AGENT DUMMER.

Legislative Records of the Council, xii., 146.

House Journal, p. 75.

Voted that the sum of three hundred Pounds be Allowed & Paid out of the publick Treasury to Jeremiah Dummer Esqr on[1] Order for Purchasing the Statute Books. & Other Charges Mentioned In his Letter of the tenth of March 1722, In full Discharge of the particulars therein Named & all other Demands for his past Services & Expence as Agent. [*Passed December 26.*

CHAPTER 400.

Legislative Records of the Council, xii., 146.

House Journal, p. 74.
Ante, p. 401, chap. 349.

RESOLVE ALLOWING £100 TO ELISHA COOK ESQ^R FOR HIS VOYAGE.

Resolved that one hundred pounds Pounds[2] be Allowed & Paid out of the publick Treasury to Elisha Cook Esqr to Enable him to embark & furnish himself with Necessarys for his Voyage for Great Britian in the service of the province. [*Passed December 26.*

CHAPTER 401.

RESOLVE ALLOWING £50 TO MR PAYNE FOR FENCING BOSTON NECK.

Legislative Records of the Council, xii., 147.

House Journal, p. 78.
Ante, p. 373, chap. 266.

Resolved that the sum of fifty Pounds be Allowed & Paid out of the publick Treasury to Wm Payne Esq^rs in order to Satisfye the Labourers for Railing in the Way over Boston Neck. & to pay for the Posts & Rails Used therein, He to be Accomptable to this Court therefor. [*Passed December 26.*

CHAPTER 402.

RESOLVE ALLOWING £34. 14. 6 TO JOS. MARION.

Legislative Records of the Council, xii., 147.

House Journal, p. 70.

AN ACCOMPT presented by Mr Joseph Marion of Writing done for the Publick, Amounting to the sum of £34. 14. 6.

[Read, Accepted and]

Resolved that the sum of thirty four pounds fourteen Shillings & Sixpence be Allowed & Paid out of the publick Treasury to Joseph Marion the accomptant in full Discharge of this Accompt. [*Passed December 26.*

[1] Written "or" in State Library copy, Legislative Records of the Council, xii., 134.
[2] *Sic.*

CHAPTER 403.

RESOLVE ALLOWING £30. 4. 8 TO BENJA ELLIOTS ACCO OF LAWS &c.

AN ACCOMPT presented by Benjamin Elliot of Laws Supplied the Several Towns in this province & the Members of the General Assembly togather with Stationers Wares for the Council & house of Represents Amounting to the sum of £30. 4. 8.

Legislative Records of the Council, xii., 147.

House Journal, p. 77.

[Read and]

Resolved that the sum of thirty Pounds four Shillings & eight pence be allowed & paid out of the publick Treasury to the Accomptant Benja Elliot in full Discharge of this Accompt. [*Passed December 26.*

CHAPTER 404.

RESOLVE ALLOWING £21. 2. 4 TO BENJA ELLIOTS ACCO FOR THE SECRYS OFFICE.

AN ACCOMPT presented by Benja Elliot of Stationers Wares supplied the Secretarys Office from the 15th of Decr 1722, to the 24th of Decemr 1723. Amounting to the sum of £21. 2. 4.

Legislative Records of the Council, xii., 147.

House Journal, p. 77.

[Read and]

Resolved that the sum of twenty one Pounds two Shillings & four pence be Allowed & Paid out of the publick Treasury to the Accomptant Benjamin. Elliot In full Discharge of this Accompt. [*Passed December 26.*

CHAPTER 405.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP SEA FLOWER SIMON SLOCUM MASTER.

A MUSTER ROLL of the sloop Seaflower Simon Slocum Master, Containing an Accompt of Wages Due to the said Master & Company for their Service from Octor 5th 1723, to the 26th of Decr 1723, & for the Hire of the said Sloop the said time Amounting to the sum of £112. 14. 2.

Legislative Records of the Council, xii., 148.

House Journal, p. 78.

[Read and]

Resolved that the sum of one hundred & twelve pounds fourteen Shillings & two pence be allowed & paid out of the publick Treasury to Simon Slocum, for his own and the Sailors Wages born on this Roll & for the sloop Hire In full Discharge of this Muster Roll. [*Passed December 27.*

CHAPTER 406.

RESOLVE FOR MAKING £20,000 IN BILLS OF CREDIT.

Resolved that the Committee who made the Last Bills of Credit on this Province be Desired & Directed to print off and finish as Soon as may be the sum of twenty Thousand Pounds, Seventeen Thousand five hundred Pounds, thereof from the plate of the highest Denomination,

Legislative Records of the Council, xii., 148.

House Journal, p. 69.

Two Thousand Pounds thereof from the plate of the Middle Denomination, & five hundred Pounds thereof from the plate of the Lowest Denomination, & Deliver them When finish'd to the Treasurer of this Province, Taking his Receipt for them, The Said Committee to be Paid for their Service as for the Bills Last made And the bills to be Issued out as this Court Shall hereafter Resolve. [*Passed December 27.*

CHAPTER 407.

VOTE ON THE METHOD OF FURNISHING THE AGENT W^TH^ STER^G^ MONEY.

Legislative Records of the Council, xii., 148.

House Journal, p. 80. *Ante*, p. 394, chap. 331; p. 415, chap. 397.

WHEREAS Mr Treasurer Allen is Directed By Order of this Court to furnish Elisha Cook & Jeremiah Dummer Esq^rs^ Agents With Bills of Exchange To the Value of five hundred Pounds Sterling, And bills of Exchange being Scare

Voted that the Treasurer be & hereby is Allowed & Impowered to take such Methods as he Shall think best to Supply the said Agents with the Afores^d^ Sum of five hundred pounds Sterling, Either by Purchaseing a Ship or Vessell, or by Shipping Such goods, as may be thought Most for the Benefit of this province, Consigning them to Mr James Allen & Mr Francis Wilks Merchants In London, & Ordering the Effects thereof to be paid to the Said Agents or their order, or by giving Letters of Credit to the said Agents to Enable them to take up Such Sums of Money for the service Afores^d^ as they Shall find Necessary to Make up the said Sum of five hundred hundred[1] pounds Sterling if it be Wanted, & that the Treasurer be further Directed & Authorized to take Such Methods for Supplying Elisha Cook Esqr with the Sum of Two hundred pounds Sterling Already Allowed by this Court, And Directed to be put Into the Hands of Mr Speaker Clark. [*Passed December 27.*

CHAPTER 408.

RESOLVE FOR EMITTING THE SUM OF £20,000 IN BILLS OF CREDIT AND PROVIDING SECURITY.

Legislative Records of the Council, xii., 149.

House Journal, p. 79. Province Laws, i., 16; ii., 314.

PURSUANT to the Directions of the Royal Charter in that Clause or Parragraph Impow'ring the great & Generell Court or Assembly to Impose & Levy proportionable & Reasonable Assesments Rates & taxes

Resolved that the Treasurer be & hereby is Directed & Impow'red to Issue forth & Emitt the sum of twenty Thousand pounds In Bills of Credit on this province, To be Issued & Disposed of by Warrant under the hand of ye Governour or Commander. In Chief for the Time being with the Advice & Consent of the Council; for the Necessary Defence & Support of the Governm^t^ & the protection & Preservation of the Inhabitants thereof, according to Such Acts, orders or Resolves of this Court, as are now In force, or that Shall be made this present Session And the said Bills shall pass out of the Treasury at the Value therein Expres'd, Equivilent to money, & Shall be so taken & Accepted In all publick payments,

And that the Duties of Impost & Excise Shall be a fund & Security for the Repayment & Drawing in the Said Bills Into the Treasury Again so far as that will Reach,

[1] *Sic.*

AND as a further Fund & Security for the same, that there be & hereby is Granted to his Most Excellent Majestie for the Ends & Uses Afore Said & No other Ends & purposes whatsoever a Tax of Six Thousand Six hundred & Sixty Six pounds thirteen Shillings & four pence to be Levied upon Polls & Estates both Real & personal Within this province, Upon the Several Towns & Districts within the same According to such Rules & In Such proportion as Shall be agreed on & ordered by the great & General Court or Assembly of this province at their Session In May 1724, & Paid Into the publick Treasury on or before the Last Day of Decer Next After,

AND that the further Sum of Six thousand Six hundred & Sixty Six Pounds thirteen Shillings & four pence be Levied upon Polls & Estates both Real & Personal within this Province, According to Such Rules & In such proportion as Shall be agreed on by the great & General Court or Assembly at their Session In May 1725, & Paid Into the Treasury on or before the Last Day of December next after

AND that the further Sum of Six Thousand Six hundred & Sixty Six Pounds thirteen Shillings & four pence be Levied upon Polls & Estates both Real & personal within this province, According to Such Rules & In Such propor[1] Proportion as shall be Agreed on by the Great & General Court. or Assembly at their Session In May 1726, And paid Into the Treasury on or before the Last day of December next After. [*Passed December 27.*

CHAPTER 409.

RESOLVE ALLOWING £21. 8. 7 TO DR JNO NEGUS.

AN ACCOMPT of John Negus, of his Service as Surgeon of the Forces Eastward under the Command of Collo Thos Westbrook, from August 28th to the 25th of December 1723, Amounting to the sum of £21. 8. 7. [Read, and]

Legislative Records of the Council, xii., 150.

House Journal, p. 77.

Resolved that the sum of Twenty one Pounds eight Shillings & Seven pence be Allowed & paid out of the publick Treasury to the Above Said John Negus the Accomptant In full Discharge of this Accompt. [*Passed December 27.*

CHAPTER 410.

RESOLVE ALLOWING £7. 5 TO MR BENJA ROLF.

AN ACCOMPT. presented by Mr Benja Rolfe, of Writing done for the publick Amounting, to the sum of £7. 5. [Read, and]

Legislative Records of the Council, xii., 150.

Resolved that the sum of Seven pounds five Shillings be Allowed & paid out of the publick Treasury to the Accomptant Benja Rolfe, In full Discharge of this Accompt. [*Passed December 27.*

House Journal, p. 71.

[1] *Sic.*

CHAPTER 411.

RESOLVE ALLOWING £11. 17. 6 TO M^R SAM^L TYLEY.

Legislative Records of the Council, xii., 150.

House Journal, p. 71.

AN ACCOMPT presented by Mr Samuel Tyley of Writing done for the publick, Amounting to the sum of £11. 17. 6.

[Read and]

Resolved that the Sum of Eleven pounds Seventeen Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Samuel Tyley in full Discharge thereof. [*Passed December 27.*

CHAPTER 412.

RESOLVE ALLOWING £34. 10 TO GRAVE KNOWLES.

Legislative Records of the Council, xii., 151.

House Journal, p. 80.

AN ACCOMPT of Grave Knowles, of wages due to him for his Service as Armourer of his Majestyes Castle William. Amounting to the sum of £34. 10.

[Read and]

Resolved that the sum of thirty four pounds Ten Shillings be Allowed & paid out of the publick Treasury to the said Grave Knowles, In full Discharge of the said Accompt. [*Passed December 27.*

CHAPTER 413.

RESOLVE ALLOWING £2. 12. 6 TO JN^O SANDERS.

Legislative Records of the Council, xii., 151.

House Journal, p. 81.

AN ACCOMPT of John Saunders of the Charge of ferrying Soldiers over Merrimack River, Amounting to the sum of £2. 12. 6.

[Read and]

Resolved that the sum of two pounds Twelve Shillings & Six pence be Allowed & Paid out of the publick Treasury to Mr John Saunders in full Discharge of this Accompt. [*Passed December 27.*

CHAPTER 414.

RESOLVE ALLOWING £10 TO EDW^D WINSLOW ESQ^R.

Legislative Records of the Council, xii., 151.

House Journal, p. 25.

AN ACCOMPT presented by Edward Winslow Esqr of Sundry Services done for the province in Transmitting the Acts & Proclamations Into the Several County's

[Read accepted and]

Resolved that the sum of Ten Ten[1] Pounds be Allowed & Paid out of the publick Treasury to Edward Winslow Esqr in full Discharge of this Accompt. [*Passed December 27.*

[1] *Sic.*

CHAPTER 415.

RESOLVE ALLOWING PAYMENT OF CAPT DANL PECKERS MUSTER ROLL.

A MUSTER ROLL of the Company of Volunteers in his Majestys Service on the frontiers Under the Command of Capt Daniel Pecker, Containing An Accompt of Wages Due to them for their Service from the 15th of October 1723, Amounting to the Sum of £147. 2. 11 & for Subsistance During the Time of their Service, The sum of £69 In all £212. 6. 11.

Legislative Records of the Council, xii., 152.

House Journal, p. 78.

[Read, Accepted and]

Resolved that the sum of Two hundred & twelve pounds two Shillings & Eleven pence[1] be Allowed & Paid out of the publick Treasury to Capt Daniel, Pecker, & By him Repaid to the Other Officers & Soldiers born on this Roll, In full Discharge of the wages & Subsistance due on this Muster Roll, Excepting what Stores & Subsistance has been Advanced by the Treasurer. [*Passed December 27.*

CHAPTER 416.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAPT GEORGE CARLILES COMPY.

A MUSTER ROLL of the Compy In his Majesties Service late under the Command of Capt George Carlile Decsd Containing an Accompt of Wages Due to Them for their Service from the 1st of August 1723, to the 19th of the said Month, Amounting to the Sum of £89. 10. 4.

Legislative Records of the Council, xii., 152.

House Journal, p. 25.

[Read Accepted and]

Resolved that the sum of eighty Nine Pounds Ten Shillings & four Pence be Allowed & paid out of the publick Treasury to the Legal Representatives of the said Capt George Carlile Decesd & the other Officers & Soldiers born on the Within Roll. In full Discharge of the Wages thereof. [*Passed December 27.*

CHAPTER 417.

RESOLVE ALLOWING £40. 18. 10 TO RICHD HALL.

AN ACCOMPT presented by Richard Hall of the Expence of Several Committees at His House, Amounting to the sum of £40. 18. 10.

Legislative Records of the Council, xii., 152.

House Journal, p. 71.

[Read, and]

Resolved that the Sum of forty pounds eighteen Shillings & ten Pence be allowed & Paid out of the publick Treasury to the Accomptant Richard Hall in full Discharge thereof. [*Passed December 27.*

[1] The House Journal reads, £212. 6. 11.

CHAPTER 418.

RESOLVE ALLOWING £14. 17. 8 TO COLL° SAM^L PARTRIDGE.

Legislative Records of the Council, xii., 152.

House Journal, p. 39.

AN ACCOMPT presented by Coll° Samuel Partridge of Posts Sent on his Majesties Service in the County of Hampshire, Amounting to the sum of fourteen Pounds Seventeen Shillings & eight Pence

[Read, accepted and]

Resolved that the sum of fourteen pounds Seventeen Shillings & Eight pence[1] be Allowed & paid out of the publick Treasury to Coll° Saml Partridge, to be by him Repaid as the same is Due in full Discharge of this Accompt. [*Passed December 27.*

CHAPTER 419.

RESOLVE ALLOWING £21. 13 TO COLL° JN° STODDARD.

Legislative Records of the Council, xii., 152.

House Journal, p. 38.

AN ACCOMPT presented by Coll° John Stoddard of Expence on Scouts, Sent in the publick Service, Amounting to the sum of £21. 13.

[Read, Accepted and]

Resolved that the sum of Twenty one pounds thirteen Shillings be Allowed & Paid out of the publick Treasury to John Stoddard Esqr to be by him Repaid to the Persons to Whom the same is Respectively due as by the Within Accompt In full Discharge thereof. [*Passed December 27.*

CHAPTER 420.

RESOLVE ALLOWING £42. 3. 10 TO BRIMFIELD SCOUT.

Legislative Records of the Council, xii., 153.

House Journal, p. 77.

AN ACCOMPT of Wages & Billeting of four Men appointed by Capt Shermon to Scout at Brimfield, Amounting to the sum of £42. 3. 10.

[Read, and]

Resolved that the sum of forty two pounds three Shillings & Ten pence be allowed & paid out of the publick Treasury unto Saml Partridge Esqr to be by him paid to the several Soldiers above named, In full Discharge of this Accompt for the wages & Subsistance of the men Above. [*Passed December 27.*

CHAPTER 421.

RESOLVE ALLOWING £52. 4. 4 TO BROOKFIELD SCOUT.

Legislative Records of the Council, xii., 153.

House Journal, p. 76.

AN ACCOMPT of the wages & Subsistance of Six Men Appointed a Scout for Brookfield, Amounting to the sum of £52. 4. 4.

[Read, and]

Resolved that the sum of fifty two pounds four Shillings & four pence be Allowed and paid out of the publick Treasury to Joseph Jennings Esqr for the Wages of the Brookfield Scout to be by him Repaid to the Soldiers Above Named In full Discharge of their Wages & Subsistance. [*Passed December 27.*

[1] The House Journal reads, £13. 7. 8.

CHAPTER 422.

VOTE FOR A BLOCK HOUSE ABOVE N°FIELD.

Voted that It will be of Great Service to all the Western frontiers both in this & the Neighbouring Governments of Connecticut to Build a Block House above Northfield in the most Convenient Convenient[1] Place on the Land Call'd the Eqvivalent Land & to post In it forty Able Men, English & Western Indians to be employed in Scouting at a good Distance up Connecticut River, West River, Otter Creek, & Sometimes Eastwardly above great Manadnuck, for the Discovery of the enemy Coming towards any of the frontier Towns, And that so Much of the said Equivalent Land as Shall be Necessary for a Block House be taken up with the Consent of the owners of the said Land, Togather with five or Six Acres of their Intervail Land to be broke up or plowed for the present Use of the Western Indians (In Case any of them Shall think fit to bring their families thither,) and that His Honour the Lieutn Governr be Desired to Give his Orders Accordingly. [*Passed December 27.*

Legislative Records of the Council, xii., 153.

Legislative Records of the Council, xii., 66, 67, 69, 72, 107. House Journal, pp. 2, 4, 5, 42, 62.

[1] *Sic.*

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE TWENTY-SECOND DAY OF APRIL, A.D. 1724.

CHAPTER 423.

RESOLVE ALLOWING 35/ TO COLL° NATH^L NORDEN.

Legislative Records of the Council, xii., 165.

House Journal, p. 2.

AN ACCOMPT presented by Coll° Nathl Norden of Expences on Expresses in the publick Service, Amounting to the sum of £1. 15.

[Read, and]

Resolved that the sum of thirty five Shillings be Allowed & paid out of the publick Treasury to Nathl Norden Esqr the Accomptant. In full Discharge of this Accompt. [*Passed April 23.*

CHAPTER 424.

VOTE FOR PROVIDING DOCTORS & SURGEONS FOR THE FORCE.

Legislative Records of the Council, xii., 165.

House Journal, p. 7.

Voted that His Honour the Lieut. Govr be Desired to give orders to the Treasurer to Agree as Reasonably as he can with such Doctors or Surgeons, as may be thought Necessary for the use of the forces Eastward. [*Passed April 23.*

CHAPTER 425.

VOTE FOR A COMM^TTE ON Y^E AFFAIR OF SUDBURY EAST MEETING HOUSE.

Legislative Records of the Council, xii., 165.

House Journal, p. 7.

Ante, p. 375, chap. 270.

IN COUNCIL; Upon Reading the petition of John Woodward & forty Six other Inhabitants of the east precinct In Sudbury togather with the Petition of William Jennison & others a Committee Appointed to Remove the Meeting House In the said Precinct, And upon Consideration of the Dissatisfaction of the Said Inhabitants at the placing the Meeting House on the Land of James Ross & the Dificulty of Obtaining the Land of the Said Ross, as Represented in the Said Petition,

Ordered that Jonathan Dowse & Samuel Thaxter Esq^rs & the Secretary with such as Shall be appointed by the Honb^le House of Represent^s be a Committee once more to view the Several places proposed or that may be proposed for the Meeting House in the east precinct of Sudbury, & that they Report early in the session of this Court in may Next, Where the said meeting House may be placed most Commodiously for the Inhabitants of the said east Precinct. In the House of Represent^s Read & Concurd, And

Ordered that William Dudley Esqr Mr Edward White & Jonathan Remington Esqr be join'd with the Gentlemen of the Council in the Affair, And that the Charge of the Committee be born by the Town of Sudbury

In Council; Read & Concurd. [*Passed April 23.*

CHAPTER 426.

VOTE FOR PAYING Y^E^ WAGES & SLOOP HIRE ACCASION'D BY THE PYRATES.

In the House of Represent^s^

Resolved that the Treasurer be Directed to Advance & pay out of the publick Treasury for the Sloop Hire of the sloop lately taken up for the service of the Province in Quest of the pyrates, on her Return from her Cruise after the Rate of Twenty five pounds per Month, To the Master of the said Sloop for Wages after the Rate of five pounds per month, And to the Mate after the rate of four pounds per month, & to the Sailors after ye Rate of three pounds per Month,

Legislative Records of the Council, xii., 166.

Legislative Records of the Council, xii., 159. House Journal, p. 7.

In Council. Read & Concurd with Amendments viz. Togather with Victualing & other Necessary Charges for the said Service: In the House of Represent^s^ Read & Concurd. [*Passed April 23.*

RESOLVES, ORDERS, VOTES, ETC.

Passed 1724–25.

LEGISLATIVE LIST[1]

FOR

1724–25.

THE HONORABLE WILLIAM DUMMER, ESQ., LIEUT. GOVERNOR,

CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, ESQ.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprieters of Lands within the Territory formerly called the Colony of the Massachusetts Bay;

WILLIAM TAILER	ESQRS.	EDMUND QUINCY	ESQRS.
SAMUEL SEWALL		ADAM WINTHROP	
PENN TOWNSEND		ELISHA COOK	
NATHANIEL BYFIELD		JONATHAN DOWSE	
EDWARD BROMFIELD		PAUL DUDLEY	
BENJAMIN LYNDE		JOHN TURNER	
ADDINGTON DAVENPORT		DANIEL OLIVER	
SAMUEL BROWN		SYMONDS EPES	
THOMAS FITCH		THOMAS PALMER	

Of the Inhabitants of or Proprieters of Lands within the Territory formerly called the Colony of New Plymouth;

ISAAC WINSLOW	ESQRS.	JOHN OTIS	ESQRS.
JOHN CUSHING		MELETIAH BOURN	

Of the Inhabitants of or Proprieters of Lands within the Territory formerly called the Province of Mayne;

JOHN WHEELWRIGHT, JOSEPH HAMMOND & CHARLES FROST, ESQRS.

Of the Inhabitants of or Proprieters of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

SAMUEL THAXTER, ESQ.

[1] See Legislative Records of the Council, xii., 167–170.

For the Province, at large: —

JOHN CLARK & JOHN STODDARD, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 27, 1724 to April 12, 1725.

MR. WILLIAM DUDLEY, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . John Clark, Esq.,
Mr. Ezekiel Lewis,
Mr. Isaiah Tay,
Mr Thomas Cushing.
Roxbury, . . William Dudley, Esq.
Dorchester, . . Col. Robert Spurr.
Milton, . . . Mr. Ephraim Tucker.
Brantry, . . . John Quincy, Esq.
Weymouth, . . Mr. John Torrey.
Hingham, . . Mr. Thomas Loring.
Deadham, . . Mr. Thomas Fuller.
Medfield, . . Mr. Henry Adams.
Mendon, . . . Mr. Daniel Taft.
Wrentham, . . Mr. Jonathan Ware.
Brooklyne, . . Mr. Edward White.
Woodstock, . . John Chandler, Esq.

COUNTY OF ESSEX.

Salem, . . . Capt. Daniel Epes,
Mr. Ichabod Plaisted.
Ipswich, . . . John Wainwright, Esq.,
Mr. Thomas Choat.
Newbury, . . Richard Kent, Esq.
Lynn, . . . Mr. Richard Johnson.
Marblehead, . Mr. John Oulton.
Haverhill, . . Mr. John Saunders.
Rowley, . . . Capt. Samuel Pickard.
Salisbury, . . Capt. Joseph Eaton.
Andover, . . Mr. James Bridges.
Topsfield, . . Mr. Thomas Hovey.
Boxford, . . . Mr. Joseph Hale.
Bradford, . . Mr. Samuel Tenney.
Beverly, . . . Mr. Jonathan Rayment.
Wenham, . . Mr. John Porter.
Glocester, . . Mr. James Sayward.
Amesbury, . . Mr. Thomas Hoyt.

COUNTY OF MIDDLESEX.

Cambridge, . . Jonathan Remington, Esq.
Charlestown, . Charles Chambers, Esq.,
Henry Philips, Esq.
Watertown, . . Jonas Bond, Esq.

COUNTY OF MIDDLESEX — *Concluded.*

Concord, . . . Mr. Benjamin Whittamore.
Newton, . . . Mr. Ebenezer Stone.
Sudbury, . . Mr. Peter Haynes.
Marlborô, . . Mr. Caleb Rice.
Sherburn, . . Capt. Samuel Bullard.
Lancaster, . . John Houghton, Esq.
Groton, . . . Mr. Benjamin Prescot.
Framingham, . Capt. Edward Goddard.
Chelmsford, . Mr. Sephen[1] Pierce.
Billerica, . . Mr. George Brown.
Woburn, . . . Mr. Daniel Pierce.
Reading, . . William Bryant, Esq.
Malden, . . . Mr. Jonathan Serjeant.
Lexington, . . Capt. Joseph Eastabrook.
Weston, . . . Francis Fulham, Esq.
Stow, ... Mr. Nathaniel Hapgood.
Leicester, . . Mr. Thomas Newhall.
Dracut, . . . Capt. Ephraim Hildrick.
Dunstable, . . Eleazar Tyng, Esq.

COUNTY OF HAMPSHIRE.

Springfield, . Mr. William Pynchon.
Northampton, . Joseph Parsons, Esq.
Hadley, . . . Mr. Joseph Nash.
Westfield, . . John Ashley, Esq.
Hatfield, . . . Mr. John Dickinson.
Suffield, . . . Mr. John Kent.
Enfield, . . . Mr. Samuel Terry.
Deerfield, . . Capt. Thomas Wells.
Brookfield, . . Mr. Thomas Barns.

COUNTY OF PLYMOUTH.

Plymouth, . . Mr. John Forster.
Scituate, . . . Mr. James Cushing.
Marshfield, . . Mr. John Kent.
Duxbury, . . Mr. Thomas Fish.
Bridgewater, . Mr. Richard Davenport.
Middleborough, Mr. Nathaniel Southworth.
Rochester, . . Mr. Joseph Benson.
Plympton, . . Mr. Samuel Sturtivant.
Pembrook, . . Mr. Joseph Stockbridge.

[1] *Sic* for Stephen.

COUNTY OF BARNSTABLE.

Barnstable, . . Shubal Gorham, Esq.
Sandwich, . . Meletiah Bourn, Esq.
Eastham, . . Mr. John Payne.
Harwich, . . Mr. Chillingworth Forster.
Yarmouth, . . Capt. Ebenezer Haws.

COUNTY OF BRISTOL.

Bristol, . . . Nathaniel Payne, Esq.
Taunton, . . Seth Williams, Esq.
Swansey, . . Capt. John Brown.
Rehoboth, . . Mr. Francis Wilson.
Little Compton, Mr. John Church.
Dighton, . . . Mr. Edward Shove.
Tiverton, . . Mr. Gershom Woodhall.
Attleborough, . Mr. Nathaniel Carpenter.
Norton, . . . Mr. Samuel Hodges.

COUNTY OF BRISTOL — *Concluded.*

Dartmouth, . . Mr. William White.
Freetown, . . Mr. John Reed.

DUKES COUNTY.

Edgartown, . Mr. John Norton.

COUNTY OF YORK.

York, ... Capt. Peter Newell.
Kittery, . . . Capt. William Pepperrell.
Berwick, . . Mr. Joseph Chadburn.
Wells, . . . Joseph Hill, Esq.
Arundel, . . Mr. Jabez Dorman.

NANTUCKET.

Sherburn, . . George Bunker, Esq.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE TWENTY-SEVENTH DAY OF MAY, A.D. 1724.

CHAPTER 1.

VOTE FOR CELEBRATING THE KINGS BIRTH DAY.

THIS DAY being the Happy Anniversary of his Majesties Birth Day, And the Great & General Court of this Province being now Convened;

Legislative Records of the Council, xii., 171.

Voted that It is the Unanimous Desire of ye House That the Court may Celebrate the Day by Shewing their Loyalty & Duty to His Majesty & the Royall Family, Therefore Desire That a Proper Place may be Appointed for the Court to Express themselves on this Joyfull Occasion. [*Passed May 28.*

House Journal, p. 6.

CHAPTER 2.

ORDER ALLOWING THE ACC^o OF THE COUNTY TREASURER OF PLIMOUTH.

AN ACCOMPT of Capt John Dyer Treasurer of the County of Plymouth for the year 1723, Having been examined by the Court of General Sessions of ye Peace for the said County, & by them Approved of & Allowed,

Legislative Records of the Council, xii., 173.

Read &

Ordered that this Acc^o be Allowed. [*Passed May 29.*

House Journal, p. 6.

CHAPTER 3.

ORDER ON COMMITTEES REPORT ABOUT THE MEETING HOUSE IN THE EAST PRECINCT OF SUDBURY.

PURSUANT to an order of the General Court. Dated the twenty Second & twenty third of April Last Appointing a Committee to view the Places Proposed for the Meeting House in the east Precinct in Sudbury, & Report where it may be placed most Commodiously &^c

Legislative Records of the Council, xii., 174.

We Accordingly Repair'd to Sudbury the twelfth Instant, & Having view'd the several Places proposed, & heard the Allegations of all Parties Concern'd, & Discoursed with James Ross, who Still Refused to sell any of his Land for the Meeting House, We were Unanimously of Opinion that the most Commodious Place for that Use is a Peice of Rising Ground about Seventeen Rods to the Northward of the Bridge

House Journal, pp. 9, 10. *Ante*, p. 424, chap. 425.

over the Brook Called Mill Brook on the West Side of the way and at About thirty Rods Distance from the place agreed upon by the former Committee for Setting the said Meeting House, Where we put down two Stakes at fifty five foot Distance from Each other, W^ch^ Spot between the s^d^ stakes We Determined to be the properest Place for. the said meeting House: All persons express'd themselves perfectly Satisfied in the said place, And Hopestil Bent who pretended some Right to the said Land (thô it lay open as High way) did publickly quit his pretensions thereto & Consent to the Building of the Meeting House there

By order & In the name of the Committee

JONATHAN DOWSE,

Boston May 29th 1724,

Read. &

Ordered that this Report be Accepted, And that the meeting House in the East Precinct in Sudbury be placed Accordingly, And that a Sum not Less then Three hundred & fifty Pounds nor exceeding five hundred pounds be Raised by the Town for Carrying on the Said Building, one half in Six Months, & the other Half In twelve Months from this time; And that a Committee be appointed by the said East precinct to Have the Care and Management thereof, And that the former order Respecting the Placing the said Meeting House, be & hereby is Superseded & Rendered Null & Void; And it is further

Ordered that the town of Sudbury discharge the Committees Accompt of Time & Expence, Amounting to five pounds eleven Shillings & Six pence. [*Passed May 30.*

CHAPTER 4.

RESOLVE ALLOWING £10. 14. 6 TO JOS^H^ MARION.

Legislative Records of the Council, xii., 176.

House Journal, p. 11.

AN ACCOMPT. presented by Joseph Marion of Writing Done for the Publick to the 22^d^ of April Last, Amounting to the sum of £11. 14. 6.

[Read and]

Resolved that the Two Articles of Ten Shillings in each Charged in the Office of Notary Publick be not allowed in this Accompt, And that the Remaining Sum of Ten pounds fourteen Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Joseph Marion In full Discharge thereof. [*Passed June 2.*

CHAPTER 5.

RESOLVE ALLOWING £4 TO JAMES RICHARDSON.

Legislative Records of the Council, xii., 177.

House Journal, p. 61 (1723).

AN ACCOMPT. presented by James Richardson of the Charge of his Sickness when In the service, Amounting to the sum of £4. 13.

[Read Accepted and]

Resolved that the sum of four pounds be Allowed & Paid out of the publick Treasury to the within Named James Richardson In full Discharge of the Within Accompt. [*Passed June 2.*

CHAPTER 6.

RESOLVE ALLOWING £28. 2. 2 TO THO^s HASTINGS.

An Accompt of Doctor Thomas Hastings of Midicines & Administrations to the Soldiers in the County of Hampshire, Amounting to the sum of £28. 2. 2.

Legislative Records of the Council, xii., 177.

House Journal, p. 12.

[Read, accepted &]

Resolved that the sum of Twenty eight pounds two Shillings & two Pence be Allowed & paid out of the Publick Treasury to the Accomptant Dr Thomas Hastings in full Discharge of the Above Accompt. [*Passed June 2.*

CHAPTER 7.

RESOLVE ALLOWING £10 TO EDWARD WINSLOW.

A Petition of Edward Winslow Esqr Sheriff of the County of Suffolk Praying an Allowance for the great Trouble of himself & Under Officers in Impressing Seamen for Several Years past for his Majesties Service on Board the Men of War. & Other Vessels Sent out against the Pyrates &c,

Legislative Records of the Council, xii., 177.

House Journal, p. 11.

Read &

Resolved that the sum of Ten pounds be Allowed & Paid out of the publick Treasury to Edward Winslow Esqr in full Satisfaction of the services Expences &c, for himself and Officers, as Mentioned in the Petition. [*Passed June 2.*

CHAPTER 8.

ORDER ON PETITION OF THE INHABITANTS OF THE WEST PART OF SHERBURN TO BE MADE A TOWN.

A Petition of the Inhabitants of the Westerly Part of Sherburn Shewing the great Inconveniencies they are Under by Reason of their Great Distance from the place of publick Worship. The said Town being near twelve Miles long & the Meeting House scituated at the easterly end, That they have Applied to the Town to be set off, but Can not obtain a Division by Such a Line as they think Reasonable, And therefore praying that they may be made a Distinct & Separate Township by such Boundarys as are In the said Petition particularly Set forth,

Legislative Records of the Council, xii., 178.

House Journal, pp. 14, 15.

In Council; Read &

Ordered that Adam Winthrop & Jon^a Dowse Esq^rs with Such as the Honb^le House of Represent^s Shall appoint. be a Committee to Repair as Soon as may to Sherburn, & Make enquiry into the matter of this Petition, & Report what they think proper for this Court to do thereon, The Charge of the Committee to be born by the petitioners

In the House of Represent^s Read & Concur'd, &

Voted that Mr Eben^r Stone, John Quincy Esqr & Mr Edward White be Join'd in the Affair Above. [*Passed June 3.*

CHAPTER 9.

VOTE FOR A CHAPLAIN AT THE FORT ABOVE NORTHFIELD WITH ALLOWANCE OF £100 PER YEAR.

Legislative Records of the Council, xii., 178.

House Journal, p. 10.

Voted that there be a Suitable person provided & employed as Chaplain to the garrison above Northfield, & More Especially that he Instruct the Indian Natives Residing thereabouts in the true Christian Religion, And that there be Allow'd & Paid out of the publick Treasury to the said[1] Person, One hundred pounds for the year, to begin from his Entrance into ye Said Service, And that the Revd Dr Mather Mr Coleman, Mr Wadsworth, & Mr Sewall, be Desired to procure such a Person of Gravity Prudence & Ability to be presented to his Honour the Lieut^t Govr in Order to be employed as Aforesaid. [*Passed June 3.*

CHAPTER 10.

RESOLVE ALLOWING 32/ TO JOHN HASTINGS.

Legislative Records of the Council, xii., 179.

House Journal, p. 12.

AN ACCOMPT presented by John Hastings of his Time in Assisting Dr Thomas Hastings in Taking Care of the Wounded Soldiers in the County of Hampshire, Amounting to the sum of £1. 12.

[Read &]

Resolved that the sum of Thirty two Shillings be Allowed & Paid out of the publick Treasury to the Accomptant Jno Hastings in full Discharge of the said Accompt. [*Passed June 3.*

CHAPTER 11.

RESOLVE ALLOWING £10. 14 TO JN^O FIELD.

Legislative Records of the Council, xii., 179.

House Journal, p. 12.

AN ACCOMPT presented by John Field, For Boarding Enoch Hall a Wounded Soldier, Amounting to the sum of £10. 14.

[Read, &]

Resolved that the sum of Ten pounds fourteen Shillings be allowed & paid out of the publick Treasury to Mr John Field the Accomptant In full Discharge of the said Accompt. [*Passed June 3.*

CHAPTER 12.

RESOLVE ALLOWING £4. 6 TO CHA^S CHURCH.

Legislative Records of the Council, xii., 179.

House Journal, p. 13.

AN ACCOMPT presented by Charles Church Esqr Sheriff of the County of Bristol of the Charge of Apprehending William Russell a Deserter & Bringing him to Bristol Goal, Amounting to the sum of £4. 6.

[Read and]

Resolved that the sum of four pounds Six Shillings be Allowed & paid out of the publick Treasury to the Accomptant Charles Church Esqr In full Discharge of the said Accompt. [*Passed June 3.*

[1] The word "said" supplied from the State Library copy, Legislative Records of the Council, xii., 162.

CHAPTER 13.

VOTE ACCEPTING A DRAFT OF INSTRUCTIONS FOR THE COMMISSIONERS ON INDIAN AFFAIRS, AND APPOINTING JOHN SCHUYLER AND JOHN STODDARD THE COMMISSIONERS; ALSO ACCEPTING A DRAFT OF A LETTER TO THE COMMISSIONERS OF INDIAN AFFAIRS AT ALBANY.

Penn Townsend Esq^R from the Committee of both Houses appointed to Consider what is proper for the Court to Do on the Advices from Albany, Respecting the Meeting of the Indians there, Reported a Draught of Instructions to Commiss^rs to be Chosen by this Court for Managing the Conferences with the Said Indians respecting our War with the Eastern Indians,

Legislative Records of the Council, xii., 180.

Mass. Archives, li., 420, 421, 425½, 426, 427, 428, 429, 431; lxxii., 157.

W^ch Draught of Instructions was Accepted by both Houses & Consented to by his Honour the Lieut: Gover^r & John Schuyler & John Stoddard Esq^rs were Named & Appointed Commiss^rs in Behalf of this Government. for the said Service

Legislative Records of the Council, xii., 177. House Journal, pp. 12, 18.

The Said Committee likewise Reported the Draught of a Letter to the Commiss^rs of Indian Affairs at Albany, Desiring their Assistance of our Commiss^rs in the Said Affair,

W^ch Draught was Likewise Accepted by both Houses & Consented to by the Honb^le the Lieut^t Govr Who being Still Confined by Illness, The Secretary attended him at his house with the said papers. [*Passed June 3.*

CHAPTER 14.

RESOLVE FOR AN ALLOWANCE TO ANDREW HARRADINE & OTHERS FOR BRINGING IN PYRATES.

A Petition of Andrew Harradine, Edward, Cheesman, John Philmore, Henry Gyles, Charles Ivemay John Bootman & Isaac Lassen Marriners, Shewing. That the Petitioners were taken by one John Phillips a Pyrate Commander of a Schooner & forcibly Detain'd on Board the said Schooner & a Sloop in to Which the said Phillips went with his Crew, That after the petitioner Harradine was taken the pyrates removed themselves and their Stores Into his Sloop Called the Squirrell, On board of Which Sloop, The Petitioners rose on the said Pyrates, & Kill'd four of them & Brought the Rest into Boston Prisoners, And therefore praying that this Court would Consider & Reward their Said Services

Legislative Records of the Council, xii., 181.

House Journal, p. 14.

Read. &

Resolved that the sum of Two hundred & twenty four pounds be Allowed & paid out of the publick Treasury to the said Andrew Harradine & the Rest of the petitioners to be equally Divided Among them for the good Services Mentioned in the Petition, And that the further Sum of Twenty Pounds be Allowed & paid out of the publick Treasury to the said Andrew Harradine to be by him Repaid to the persons to Whom the same is due for Wages Subsistance & Other Charges arising In Bringing the Sloop & Pyrates from Glocester to Boston, And In Consideration of the great and Signal Services done by the Petitioners in Suppressing the said Pyrates & Delivering them up to Justice, Where they have Received a just Sentance to Suffer the pains of Death,

It is further

Resolved that the sum of thirty Pounds be allowed & paid out of the

publick Treasury to the said Andrew Harradine Edward Cheeseman & John Philmore, Who more particularly Distinguished themselves in the said Action. [*Passed June 4.*

CHAPTER 15.

ORDER ON PETITION & COMPLAINT OF Y^E NANTUCKET INDIANS.

Legislative Records of the Council, xii., 182.

House Journal, p. 14. *Ante*, p. 289, chap. 7.

A PETITION of Sundry Indians Inhabiting the Island of Nantucket Complaining of many grevous Impositions & Abuses they have Received from the English Inhabitants of the said Place, & Praying for some Suitable Relief from this Court, ·

[Read, and]

Ordered that the Select Men & Proprieters of the Town of Sherburn in Nantucket County be Served with a Copy of this petition, That a Hearing be had thereon on the Second Wednesday of the next fall Session of this Court, And that in the mean Time It Shall and may be Lawfull for two Justices of the Peace for the County of Dukes County Quorum Unus, to take the affidavits of the Indians in Perpetuum, who through Age or Infirmity are uncapable of Coming to this Court, & Transmit the Same into the Secretarys office, the Adverse Party to be Notified of the Caption of the Indian Affidavits; any Law Usage or Custom to the Contrary. Notwithstanding. [*Passed June 4.*

CHAPTER 16.

RESOLVE ALLOWING £3. 4 TO COLL^O JN^O WHEELWRIGHT.

Legislative Records of the Council, xii., 182.

House Journal, pp. 19, 20.

AN ACCOMPT presented by Coll^o John Wheelwright, of the Charge of Expresses Sent in the publick Service Amounting to the sum of £3. 4.

[Read, Accepted and]

Resolved that the sum of three pounds & four Shillings be allowed & paid out of the publick Treasury to John Wheelwright Esqr to be by him repaid to the person or Persons to Whom the same is due Respectively in full Discharge of the within Accompt. [*Passed June 5.*

CHAPTER 17.

RESOLVE ALLOWING 20/ TO NATHAN BRIGHAM.

Legislative Records of the Council, xii., 182.

House Journal, p. 15.

A PETITION of Nathan Brigham, Praying an Allowance for an horse belonging to him Impress'd in the publick Service, at Which time his Bridle And Saddle were Absolutely Spoil'd.

Read &

Resolved that the Sum of twenty Shillings be Allowed & paid out of the publick Treasury to the petitioner Nathl Brigham, In full Satisfaction for his horse & for the Use of his Bridle and Saddle aforesaid. [*Passed June 5.*

CHAPTER 18.

RESOLVE ALLOWING 28/ TO COLL Wm DUDLEY.

An Accompt. of Collº William Dudley of the Subsistance of Sundry Soldiers by him Impress'd for his Majesties Service, Amounting to 28/ [Read and]

Resolv'd that the sum of twenty eight Shillings be allowed & paid out of the publick Treasury to Collº William Dudley in full Discharge of the within Accompt. [*Passed June 5.*

Legislative Records of the Council, xii., 183.

House Journal, p. 18.

CHAPTER 19.

RESOLVE ALLOWING £5. 4 TO COLLº SAML BROWN.

An Accompt of Collº Saml Brown of the Charge of Subsisting Sundry Soldiers impress'd for his Majesties Service, Amounting to ye Sum of £5. 4.

[Read and]

Resolved that the sum of five pounds four Shillings be Allowed & paid out of the publick Treasury to Collº Saml Brown in full Discharge of the Within Accompt. [*Passed June 5.*

Legislative Records of the Council, xii., 183.

House Journal, p. 17.

CHAPTER 20.

RESOLVE ALLOWING 20/ TO SAML SMITH.

An Accompt of Samuel Smith of his Time & Expence in Going Express from Bellingham to Woodstock, Amounting to the Sum of £2.

[Read, and]

Resolved that the sum of Twenty Shillings be Allowed & Paid out of the publick Treasury to the accomptant Saml Smith In full Discharge thereof. [*Passed June 5.*

Legislative Records of the Council, xii., 183.

House Journal, p. 15.

CHAPTER 21.

RESOLVE ALLOWING £6. 2. 8 TO STEPHEN HARDING.

An Accompt. presented by Stephen Harding, of the ferryage of Divers Soldiers over the ferry at Arundel from the first of October 1722 to February 1723–4, Amounting to the sum of £6. 2. 8.

[Read, Accepted and]

Resolved that the sum of Six pounds two Shillings & Eight pence be Allowed & paid out of the publick Treasury to the Accomptant Stephen Harding, In full Discharge of the within Accompt. [*Passed June 5.*

Legislative Records of the Council, xii., 183.

House Journal, p. 20.

CHAPTER 22.

ORDER ALLOWING THE ACC° OF THE COUNTY TREASURER OF BARNSTABLE.

Legislative Records of the Council, xii., 183.

House Journal, p. 19.

AN ACCOMPT. of Mr Eleazer Lewis Treasurer of the County of Barnstable; Having been Inspected & Examined by the Court of General Sessions of the Peace for the said County and by them Accepted & Allowed,

Read &

Ordered that this Acc° be Allowed. [*Passed June 5.*

CHAPTER 23.

RESOLVE ALLOWING 15/ TO SAM^L HART.

Legislative Records of the Council, xii., 183.

House Journal, p. 20.

AN ACCOMPT of Saml Hart of the Hire of his horse impress'd for the publick Service, Amounting to twenty Shillings

[Read, and]

Resolved that the sum of fifteen Shillings be allowed & paid out of the publick Treasury to the Accomptant Samuel Hart In full Discharge of the within Accompt. [*Passed June 5.*

CHAPTER 24.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE SLOOP SEAFLOWER SIMON SLOCUM MASTER.

Legislative Records of the Council, xii., 184. Mass. Archives, xci., 99.

Mass. Archives, xci., 98. House Journal, p. 19.

A MUSTER ROLL of the Sloop Seaflower (a Transport in the publick Service) Simon Slocum Master Containing an Accompt of Wages due to the said Master & Company for their Service from the 27th of December 1723, to the 24th of April 1724, Togather with the Hire of the said Sloop the said Time, Amounting to the Sum of £129. 12. 6.

Read and Accepted, and

Resolved That the Sum of One hundred Twenty Nine pounds, twelve shillings, and Six pence be allowed & paid out of the publick Treasury to the said Simon Slocum for the Wages & Sloop Hire of said Sloop in full. [*Passed June 5.*

CHAPTER 25.

ORDER ON PETITION OF SOUTH PRECINCT IN WEYMOUTH FOR CONFIRMATION OF VOTES.

Legislative Records of the Council, xii., 184.

House Journal, p. 18. *Ante*, p. 367, chap. 246.

A PETITION of a Committee for the South precinct of Weymouth Shewing that in the first Meeting of the Inhabitants of the Said Precinct they omitted to agree upon and Appoint the Methods of future Meetings, By which Omissions all the Acts & Votes of their Subsequent, Meetings are Liable to be Disputed & Calld in Question. W^ch will bring a great Confusion and Disorder upon the Affairs of the said Precinct, And therefore praying that this Court would ratify & Confirm the Votes & Proceedings of their Several Precinct Meetings.

Read & In Answer to this Petition

Voted that the Several Precinct Meetings held in the south Precinct in the Town of Weymouth & all the Acts Votes & Orders therein made be and hereby are Ratifyed & Confirmed, Notwithstanding any Neglect or Omision in Voting at their first Meeting after they were Set off. a Precinct, by this Court, How or in what Manner Meetings Should be Called for Assembling said Precinct for the future. [*Passed June 5.*

CHAPTER 26.

ORDER ON MEM° OF CHARLES CHURCH ESQ^R REFERRING TO TIVERTON ASSESSORS.

Legislative Records of the Council, xii., 184.

House Journal, p. 21. Province Laws, ii., 296. *Ante*, p. 317, chap. 78.

A Memorial of Charles Church Sheriff of the County of Bristol, Shewing that he received a Warrant from the Treasurer of the Province, Commanding Him, to Levy by Distress &c upon William Durfey & Thomas Corey (Said to be) defective Assessors of the town of Tiverton for the Year 1723, the sum of one hundred pounds Laid as a Tax on the said Town for the said year, Which was not Assess'd upon the Inhabitants According to Law, That upon Inquiry the Memorialist found that there were properly no Assessors other than the Select Men, The aforemention'd persons not being Sworn to the said Office, Praying the Direction of this Court in the Said affair.

Read &

Ordered that the Several Persons Who Served as Town Clerk, Select men & Constable or Constables for the Town of Tiverton for the Year 1723, togather with William Durfey & Thomas Corey (Said to be Assessors of the said Town for the Year Abovesaid) attend this Court, on tuesday the fifteenth Instant, To Shew Cause Why the Tax Laid by this Court, on the Said Town for the Said Year was not Assess'd & Collected according to Law. [*Passed June 5.*

CHAPTER 27.

ORDER ON REPORT ON THO^S DRURYS PETITION AS TO PURCHASE OF INDIAN LANDS.

Legislative Records of the Council, xii., 185.

House Journal, p. 22. *Ante*, p. 231, chap. 206; p. 372, chap. 259.

Samuel Thaxter Esq^R from the Committee gave in the following Report on the petition of Thomas Drury; Viz^t,

Pursuant to the within Written Order, the Within Named Committee having Notified the Natick Indians, Who met at Hassanimisco upon the Land which the said Drury petitions for to Purchase of the Indians, And having view'd the Same are humbly of Opinion. That one hundred pounds togather with the Advantage that the Indians do & Will receive by the Mill which the said Drury hath Erected thereon will be the full Value of the Land petition'd for, and as to the Claims of the Natick Indians We Could not Learn by all they had to say to us that ever they had any Right there The weightiest argument, which they Used with us was that when Land was Sold at Natick the Hassaminiscoe Indians had Part of the Money, Therefore they ought to have Part of the Money that Hassaminiscoe Land is or may be Sold for

In the Name of the Comm^tee Sam^LL Thaxter

June 4th 1724/

Read &

Ordered that this[1] Report be Accepted & that the petitioner Thomas Drury have Leave to purchase the Land and Stream Mention'd in his Petition for the Consideration of the Sum of One hundred pounds to be paid into the Hands of Frances Fulham[2] Esqr Upon Condition that the s^d Drury his Heirs or Assigns Maintain & Keep up the Mill he has Erected on the Said Stream in good repair & fit for Grinding for the space of twenty years next Coming, The Said Frances Fulham to take Care that the Deed be Drawn Drawn[3] Accordinly, And the Indians to be Allow'd so much out of the Said Sum as he Shall judge proper to Supply their present Necessities. [*Passed June 5.*

CHAPTER 28.

RESOLVE ALLOWING £16. 1. 10 ON ACC^o OF EXPENCES ON THE KINGS BIRTH DAY.

Legislative Records of the Council, xii., 186.

House Journal, p. 21. *Ante*, p. 433, chap. 1.

AN ACCOMPT. presented by Edward Winslow Esqr of the Expence (by order of the Court) on the twenty eighth of May Last being his Majesties Birth Day; Amounting to the sum of £16. 1. 10.

[Read, and]

Resolved that the sum of Sixteen pounds one Shilling & ten pence be Allowed & paid out of the publick Treasury to Edward Winslow Esqr to be by him paid to the persons to Whom the same is Due in full Discharge of the Said Accompt. [*Passed June 6.*

CHAPTER 29.

ORDER ON PETITION OF THE AGENTS OF THE SOUTH PRECINCT IN BRIDGWATER IN REGARD TO BOUNDS.

Legislative Records of the Council, xii., 186.

House Journal, p. 21. *Ante*, p. 401, chap. 350.

WHEREAS Some Misunderstandings have Arisen in the Report of the Committee of this Court. Sent to Bridgewater Concerning the Bounds of the South & East Precincts

Order'd that the said Committee Consider thereof & by a further Report to this Court explain the Bounds & Limits of those precincts in Bridgewater, And that in the Mean Time the South Precinct Continue as they heretofore were. [*Passed June 6.*

CHAPTER 30.

VOTE ON PETITION OF JAMES WATSON & OTHERS FOR PURCHASE OF LANDS AT HASSANIMISCOE.

Legislative Records of the Council, xii., 187.

House Journal, pp. 21, 23.

A PETITION of James Watson, Samuel Hill & Sundry Others, Praying that they may be Allowed to Purchase of the Indians their Right & Intrest in the Land Call'd Hassanimiscoe under Such Regulations & for Such a Consideration as this Court Shall judge Reasonable; Accompanied with a petition of the said Indian Proprietors Signify-

[1] The House Journal reads, "within."

[2] Written "Tulham" in the Secretary's copy, but "Fulham" in the State Library copy, Legislative Records of the Council, xii., 168. See also p. 443, chap. 30.

[3] *Sic.*

ing their Willingness and Consent. to the Said purchase, And praying they may have Liberty to Convey the said Lands as Aforesaid.

In Council; Read &

Ordered that William Tailer, John Otis, & Sam[ll] Thaxter Esq[rs] (or any two of them) with Such as the Honb[le] House of Represent[s] Shall Join be a Committee to Repair to Hassanimiscoe & Discourse with the Indians there & Inform themselves, Whether (as is Represented) They are Really Desirous to Dispose of their Land; And if so, That they Carefully view the said Land & Report to this Court at their next Sessions, the Quality & Circumstances thereof, And who are the just Proprieters, In order to Its being Sold (If this Court shall judge fit) to Such as will give Most for it,

In the House of Represent[s] read & Concurd &

Ordered that William Dudley John Chandler, Frances Fulham & John Wainwright Esq[rs] (or any three of them) be joined with the Committee of the Board in the Affair. [*Passed June 6.*

CHAPTER 31.

RESOLVE ON PHIL WHITES PETITION COMPLAINING OF A JUDGMENT.

A Petition of Philip White Shewing that one John Green Commenced an Action of the Case against him before Jonas Bond Esq[r] one of his Majesties Justices of the Peace for the County of Middlesex, & Recovered Judgement Against the petitioner for twenty five Shillings & Costs, from Which Judgement the Petitioner appeal'd to the Inferiour Court of Common pleas for the Said County & Gave Bond to Prosecute his Appeal, but not having ye Assistance & Advice of his Attorney; thrô Ignorance he Neglected to file his Reasons of Appeal in the Time provided by Law, And therefore Praying that the Justices of the said Court may be Ordered to proceed to Hear & try the Said Cause upon his filing his Reasons Anew, Notwithstanding His said Neglect,

Legislative Records of the Council, xii., 187.

House Journal, p. 20.

Read & In Answer to this petition,

Resolved that upon the Petitioners Entering his Action at the Next Inferiour Court, of Common Pleas to be Holden at Cambridge for the County of Middlesex, the Justices of the said Court be & hereby are Impower'd & Directed to Continue the Action over to the then next Inferiour Court of Common Pleas to be Holden at Concord within & for the said County on the Last Tuesday of August Next, That the petitioner in the Mean Time file his Reasons of Appeal from the Judgement of the said Justice with him Seven Days at Least before the Sitting of the s[d] Court, And that the Court then proceed to a Tryal of the Action, Give Judgement therein & Award Execution According Accordingly;[1] Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed June 6.*

CHAPTER 32.

RESOLVE FOR CERTAIN ALLOWANCES ON ABIGAIL DARLINGS PETITION.

A Petition of Abigail Darling Shewing that her Husband George Darling having Received two wounds of the Indian Enemy at Arrowsick & Continued some Time In a Languishing Condition In December

Legislative Records of the Council, xii., 188.

[1] *Sic.*

House Journal, p. 23.

Last died of his Wounds, That his Wounds occasion'd great Charge In his Life Time, & the petitioner is now Left in a very Poor and helpless Condition with four Children to Maintain, And therefore praying the Compassionate Consideration of this Court,

Read. & In Answer to this petition

Resolved that the Sum of Ten pounds be Allowed & paid out of the publick Treasury to Charles Chambers Esqr to be by him paid. Thirty Nine Shillings & three Pence to Dr Peter Calif to Discharge his Bill, & the remaining Sum to be paid to the petitioner for her Relief. [*Passed June 6.*

CHAPTER 33.

ORDER ALLOWING THE ACC^O OF THE COUNTY TREASURER OF MIDDLESEX.

Legislative Records of the Council, xii., 188.

House Journal, p. 13.

AN ACCOMPT of Mr Daniel Rusell Treasurer of the County of Middlesex, Having been Laid before the Court of General Sessions of the peace for Said County & by them Accepted & Allowed,

Read &

Ordered that this Accompt be Allowed. [*Passed June 8.*

CHAPTER 34.

RESOLVE ALLOWING 15/ TO ZACH^A SYMMES.

Legislative Records of the Council, xii., 189.

House Journal, p. 26.

AN ACCOMPT of Zechariah Symmes of his Time & Expence in Riding Express from Boston to framingham, Amounting to the Sum of £1. 10.

[Read, and]

Resolved that the sum of fifteen Shillings be Allowed & paid out of the publick Treasury to Zachariah Symmes the Accomptant. in full Discharge of the Said Accompt. [*Passed June 9.*

CHAPTER 35.

RESOLVE ALLOWING £3. 12. 6 TO L^T W^M PYNCHON.

Legislative Records of the Council, xii., 189.

House Journal, p. 27.

AN ACCOMPT presented by Lieut^t William Pynchon, of the Service of himself & ten Other Troopers appointed a Guard to the Judges of the Superiour Court from Springfield, Amounting to the Sum of £3. 12. 6.

[Read, and]

Resolved that the sum of three pounds twelve Shillings & Six pence be Allowed & paid out of the publick Treasury to Mr William Pynchon to be by him Repaid to the Several Troopers Within named to Whom ye Same is Due in full Discharge of the said Accompt. [*Passed June 9.*

CHAPTER 36.

RESOLVE ALLOWING £8. 6 TO FRANCES WYMAN.

A Petition of Frances Wyman. Praying to be Allowed his Expences in Surgery & Attendance occasion'd by a Wound he received in his Leg of the Indian Enemy in the Year 1723, He being in his Majesties Service Eastward in the Company under the Command of Capt Frances Barker,

Legislative Records of the Council, xii., 189.

House Journal, p. 26.

Read [Accepted] &

Resolved that the sum of Eight pounds Six Shillings be Allow'd & paid out of the publick Treasury to Frances Wyman the Petitioner. [*Passed June 9.*

CHAPTER 37.

RESOLVE ALLOWING A PENSION TO JOHN GREEN.

A Petition of John Green Shewing that he with Some others was detach'd from the garrison at Richmond in September Last to join with Six Mowhawks, That they had an Engagement with the Said Indians upon Kenebeck River, In which ye Petitioner received a Shot which Carried away his Upper Jaw & part of his Under jaw That by his Said Wounds he is Render'd Utterly unable to do any thing for his Support, And therefore Praying the Compassionate Consideration of this Court & Some Relief from them,

Legislative Records of the Council, xii., 189.

House Journal, p. 26.

Read [Accepted] &

Resolved that a Pension of fifteen Pounds be Allowed & paid out of the publick Treasury to the petitioner John Green Annually for his Maintenence, To begin from the time of his being Dismiss'd from the Service of the province. [*Passed June 9.*

CHAPTER 38.

RESOLVE ALLOWING A PENSION TO JOS ANDERSON.

A Petition of Joseph Anderson, Shewing that being a Soldier at Richmond he was with Others Detach'd to go with Six Mowhawks in Quest of the Indians, with whom they had an Engagement. In which the petitioner was wounded. so as to Loose the Use of his Left hand and two fingers of his Right. Hand, Praying some Consideration from this Court for his said Wounds, & his helpless Condition thereby,

Legislative Records of the Council, xii., 190.

House Journal, p. 26.

Read [Accepted] : &

Resolved that the sum of five pounds Per Annum be Allowed & Paid out of the publick Treasury to the Petitioner Joseph Anderson as a Pension, And further that he be Still Retain'd in the pay of the Governm^t^. [*Passed June 9.*

CHAPTER 39.

VOTE ACCEPTING THE COMMITTEE'S REPORT OF A DRAUGHT OF A LETTER TO THE GOV^R OF CONNECTICUT.

Legislative Records of the Council, xii., 190. Mass. Archives, lii., 104.

THE COMMITTEE (appointed for that Service) reported the Draught of a Letter to the Government. of Connecticut, To press their Assistance by Sending their Troops into the County of Hampshire, [viz.][1]

Legislative Records of the Council, xii., 181. House Journal, p. 29.

S^r

I wrote your Hon^r 30th Decemb^r last in order to obtain from His Maj^ties Government of Connecticut a supply of Forces to join with the Forces of this Province in covering some of the most exposed Towns in the County of Hampshire & thereby your own Out Towns from the Attempts of the Indian Enemy:, At the same time in compliance with the desires of your Gen^ll Assembly of Octob^r last, An account of the just Grounds this Government had to declare War against the Eastern Indians was by the Secretary transmitted to you, as also our Treaty with the Mohawks, & althô nothing. has yet been done on your parts in answer to our proposalls at that time, yet the Occasion Still remaining & the Generall Court of this Province being now again convened & having under their consideration the Defence of the Western Fronteirs, they have unanimously desired me to renew my Motion to you on that Head. The Season of the Year being now come on when the Indians suppose they can make their attacks with the greatest advantage to them & the most disadvantage to us, & there being advices from abroad that there is not now an Indian Man to be seen in such places as they use to frequent gives us Strong grounds to conclude they are preparing to make a violent Effort on Some place or other as soon as they can meet with a fit opportunity for it, so that it appears absolutely necessary to have a considerable Force on the Fronteirs either to keep or beat them off: & this Province having Fronteirs of so large an extent we are exposed to a most heavy charge for the Defence of them. Now althô War has not been proclaimed against the Indians in Form by the Government of Connecticut as by this Government, yet inasmuch as we are both embarqued in the same Bottom, are under the same Crown, our Interests are the same, inasmuch as His Maj^ty has given his commands & directions to the Severall Governm^ts on this Continent for assisting one another in case of a War & most especially inasmuch as our Western Towns are the immediate Barrier & Cover to yours & that if ours should be broken up or drawn off, yours would be exposed to the Fury & Ravages of the Enemy in the same manner as ours now are we cannot but judge it highly reasonable & we doubt not but upon mature Deliberation you will do so too, that you should join your Forces to ours for the Mutuall Defence of both. Besides the Forces which have been formerly posted in those Towns, I have upon the advices rec^d lately made a further addition to them, but these also are not sufficient to give the Enemy a warm Repulse & althō it appears by the Votes of your Gen^ll Court that you have 200 men in readiness to march yet that provision dos not seem likely to attain the desired End, for you are sensible that the Indians alwaies make a Sudden onset & then retire forthwith so that if your forces remain as they now are, before they can be got together & march to the places attackt the enemy will probably be got out of reach & So it will be too late to follow them. Upon all which consid-

[1] The Secretary's record adds, "W^ch Letter was Accepted by both Houses, & Consented by his Honour the Lieut. Governour;" omitting the letter, here reproduced as part of the chapter.

erations we desire Your Governm^t will send 100 men to be posted at Northfield Deerfield & Westfield[1] in such proportion as shall appear most necessary, to continue there for a few months till the time of the greatest Danger is over, if some part of them were trusty Indians who are used to the woods it might be an advantage. This comes ℘ who, it is hoped will wait upon you before your Generall Court rises & I request you will make use of your Influence & Authority that what is proposed may be obtained, whereby you not only do Service to the Crown [but] will gratify a Province that is alwaies ready to testify their Respect to you & will like wise oblige Yrs

In the Name of the Committee

Wm Tailer

Lett^r to Govr Saltonstall June. 9. 1724.[2]

In Council,

Read &

Ordered that this Report of the Draught of a Letter to the Govern^r of Connecticut be Accepted

In the House of Representatives

Read and Concur'd, & that His Honour the Liev^t Govr be desired to Express the Letter to the Govr of Connecticut as Soon as possible

In Council, Read & Concur'd. [*Passed June 9.*

CHAPTER 40.

RESOLVE ALLOWING A PENSION TO JN^O JACKSON.

A Petition of John Jackson praying an Allowance from this Court for a Dangerous Wound he rec^d in his Right Arm in the Service Against the Indian Enemy under the Command of Capt John Penhallow,

Legislative Records of the Council, xii., 190.

House Journal, p. 26.

Read [accepted] &

Resolved that a Pension of Six pounds be Annually Allowed & paid out of the publick Treasury to the petitioner John Jackson, And further that the Sum of Ten Pounds be Allowed & paid to him, for that he was dissmiss'd from the Service before he Recover'd his Health & Left to provide for himself. [*Passed June 9.*

CHAPTER 41.

RESOLVE ALLOWING 15/ TO JN^O GREEN.

An Accompt. of John Green for Riding Express to Framingham by Order of the Governmt^t Amounting to twenty Seven shillings

Legislative Records of the Council, xii., 190.

[Read, and]

Resolved that the Sum of fifteen Shillings be Allowed and paid out of the publick Treasury to the Accomptant John Green In full Discharge of the Above Accompt. [*Passed June 9.*

House Journal, p. 26.

[1] Note this authority to send troops into the Province of Massachusetts, which alone would make the action taken legislation.

[2] In the margin.

CHAPTER 42.

RESOLVE ALLOWING £31. 8 TO MAJR HABIJAH SAVAGE.

Legislative Records of the Council, xii., 191.

House Journal, p. 29.

AN ACCOMPT presented by Major Habijah Savage of the Charge of Subsisting Divers Soldiers impress'd for his Majesties Service Eastward at Divers Times, Amounting to the Sum of £31. 8.

[Read, accepted and]

Resolved that the Sum of Thirty one pounds eight Shillings be Allowed & paid out of the publick Treasury to Habijah Savage Esqr the Accomptant, in full Discharge of this Accompt. [*Passed June 10.*

CHAPTER 43.

RESOLVE ALLOWING 40/ TO JANE HERD.

Legislative Records of the Council, xii., 191.

House Journal, p. 29.

A PETITION of Jane Herd. Praying an Allowance of forty Shillings for Curing a Broken Arm of one Philip Brown a Soldier in his Majesties Service Eastwd under Lieut Josiah Winslow,

[Read, accepted and]

Resolved that the Sum of forty shillings be Allowed & Paid out of the publick Treasury to Jane Herd in full Discharge of the Within Accompt. [*Passed June 10.*

CHAPTER 44.

RESOLVE ALLOWING 30/ TO COLLO ISAAC WINSLOW.

Legislative Records of the Council, xii., 191.

House Journal, p. 30.

AN ACCOMPT of Collo Isaac Winslow of the Charge of Billeting Soldiers impress'd for his Majesties Service Amounting to thirty Shillings

[Read, and]

Resolved that the Sum of thirty Shillings be Allowed & paid out of the publick Treasury to Isaac Winslow Esqr in full Discharge of the Within Accompt. [*Passed June 10.*

CHAPTER 45.

RESOLVE ALLOWING £40 ON ARUNDEL PETITION IN SUPPORT OF THE MINISTRY.

Legislative Records of the Council, xii., 191.

House Journal, pp. 29, 30. *Ante*, p. 303, chap. 36.

A PETITION of Jabez Dorman Representative of the Town of Arrundel, Shewing that the said Town of Arundel is a frontier Town & the Inhabitants are Much Impoverish'd by the War and Unable to Support a Minister without the Assistance of the Governmt And therefore praying that the Court would Allow Something out of the publick Treasury for the Maintenance of a Minister Among them.

Read &

Resolved that in Consideration of the Towns of Arundel and Biddeford being Reduced to Low Circumstances by reason of the Present Indian War & Sundry Soldiers being posted therein for their Security

& Defence. & no Chaplain being Allowed to those Forces, The Sum of forty Pounds be Allowed & Paid out of the publick Treasury to the Select men of the Town of Arundel for the Supporting & Maintaning the Preaching of the Gospel at Arundel and Biddeford. The Gentleman that preforms the Said Service to preach on the Lords Days alternately at the Towns of Arundel & Biddeford If the Weather will permit. [*Passed June 10.*

CHAPTER 46.

RESOLVE ALLOWING £3. 13 TO JN° DAY.

An Accompt of John Day, for Subsisting Divers Soldiers under the Command of Capt David Goodrich, Amounting to the Sum of £3. 13.

[Read, Accepted and]

Resolved that the Sum of three pounds thirteen Shillings be Allowed & paid out of the Publick Treasury to the Accomptant John Day to be by him Repaid to the persons to Whom the same is Due Respectively in full Discharge of the Within Accompt. [*Passed June 10.*

Legislative Records of the Council, xii., 192.

House Journal, p. 29.

CHAPTER 47.

RESOLVE ALLOWING £20. 17. 6 TO COLL° JN° STODDARD.

An Accompt presented by Coll° John Stoddard of pay & Subsistance due to Sundry Men under the Command of Serjant Joseph King that went to the Relief of Northfield when that Town was Attack'd being in Feby 1723, Amounting to the Sum of £20. 17. 6.

[Read, Accepted and]

Resolved that the Sum of Twenty pounds Seventeen Shillings & Six pence be Allowed & paid out of the publick Treasury to John Stoddard Esqr to be by him Repaid to the persons to Whom it is Due in full Discharge thereof. [*Passed June 10.*

Legislative Records of the Council, xii., 192.

House Journal, p. 29.

CHAPTER 48.

RESOLVE ALLOWING PAYMENT ON CAP^T SAM^L WHEELWRIGHTS MUSTER ROLL.

A Muster Roll of the Company In his Majesties Service Eastward under the Command of Capt Samuel Wheelwright. Containing an Accompt of Wages Due to them for their Service from October 23^d 1723, to June 2^d 1724, Amounting to the Sum of £478.

Read & Accepted and

Resolved That the sum of Four hundred, Seventy four Pounds ten Shillings & Six pence be allowed and paid out of the publick Treasury to the said Capt Samuel Wheelwright the other Officers & Soldiers born on the within Roll to whom the Same is respectively due in full discharge of this Muster Roll agreable to the aboue Report. [*Passed June 10.*

Legislative Records of the Council, xii., 192. Mass. Archives, xci., 113.

Mass. Archives, xci., 112. House Journal, p. 30.

CHAPTER 49.

RESOLVE FOR THE PAYMENT OF COLL° PARTRIDGES ACC° OF Y^E SERVICE OF SEVERAL PARTIES OF THE MILITIA.

Legislative Records of the Council, xii., 193.

House Journal, p. 33.

A MEMORIAL of Coll° Samuel Partridge Shewing that at Sundry times upon the Ineursions of the Indian Enemy on Northfield and other frontier Towns, he has order'd out Several Parties of Men belonging to the Militia for the Relief of Such Places & Pursuit of the Enemy & has formerly given in the Accompts of thier Service & Expence, but no Allowance has Yet been Made for the Same, And therefore praying the Court to Consider the Premisses & order Payment of the Aboues^d Accompt,

Read [Accepted] &

Resolved that the Sum of one hundred & thirty one pounds Sixteen Shillings & one penny be Allowed & paid out of the publick Treasury to Mr John Dickenson to be by him Repaid with the Assistance of Coll° Partridge to the Several Persons to Whom the Same is Due in full Discharge & Satisfaction of the Several Accompts Refer'd to in the within Memorial, According to the Committees Report thereon. [*Passed June 11.*

CHAPTER 50.

RESOLVE ALLOWING £29. 7. 8 TO DAN^L POWNING.

Legislative Records of the Council, xii., 194.

House Journal, p. 30.

AN ACCOMPT presented by Daniel Powning Keeper of the powder house, for Watch Mens Wages, Expences in Coal, Candles &c, Amounting in the Whole to the Sum of £123. 17. 2 Ballance due to him being £29. 7. 8.

[Read, and]

Resolved that the Sum of Twenty Nine Pounds seven Shillings & eight pence be Allowed & paid out of the publick Treasury to Mr Daniel Powning in full Discharge of the Said Accompt ending the first of this Instant June. [*Passed June 11.*

CHAPTER 51.

RESOLVE ON HOPKINSTON PETITION IN REGARD TO TAXES.

Legislative Records of the Council, xii., 194.

House Journal, p. 35. Province Laws, i., 406, chap. 26; ii., 156, chap. 14; 243, chap. 4.

A PETITION of the Inhabitants of the Town of Hopkinston, Shewing that they are now engaging in Settling a Minister Among them, but find themselves much Obstructed in that Affair, in that many of the Lots Laid out in that Township are not Yet taken up & Settled, nor the Owners of Such as are taken up Subjected to any Taxes or Assessments, And therefore praying that this Court would order that the Non Resident Proprieters bear part of the Charge of Supporting the Ministry Among them as Well as other Town Charges, & that they may be enabled to Raise & Levy all the Necessary Charges Arising in the Said Town for Such Term of Time as this Court Shall think fit in the Manner following, viz, one Moiety or Half part thereof upon Polls & Estates in the Said Town according to the general Rules of assessment prescribed in the Law, & the other Moyety thereof upon all the wild & Uncultivated Lands in the said Town either in the Hands of

the Residents or Non Resident proprieters, The Lands in the Hands of the Trustees of Mr Hopkins's Legacy excepted,

Read &

Resolved that the Inhabitants of the Town of Hopkinston be & hereby are Impowered to Assess and Levy all the Necessary Charges Arising in and for the Said Township of Hopkinston for & During the Term of five years next following, viz. one Moyety or Half part thereof upon the polls & Estates lying and being in the Said Town according to the General Rules of Assessments prescribed in the Law, & the Other Moyety thereof upon all the Wild & Uncultivated Lands in the Said Town, lying in the Hands of the Resident or Non Resident Proprieters (Lands lying in the Hands of the Trustees of Mr Hopkins's Legacy Excepted,) any Law Usage or Custom to the Contrary Notwithstanding. [*Passed June 11.*

CHAPTER 52.

RESOLVE ALLOWING £5. 12 TO CAPT JNO ASHLEY.

An Accompt presented by Capt John Ashley of the Charge of Sundry Expresses Sent from Westfield in the Service of the Governmt Amounting to the Sum of five pounds & twelve Shillings

Legislative Records of the Council, xii., 195.

Read &

House Journal, p. 35.

Resolved that the sum of five pounds twelve Shillings be Allowed & paid out of the publick Treasury to Capt Jno Ashley in full Discharge of the Above Accompt. [*Passed June 12.*

CHAPTER 53.

RESOLVE ALLOWING £32. 12. 6 TO BARTH: GREEN & SAMLL KNEELAND.

An Accompt presented by Bartholomew Green & Samuel Kneeland of the Charge of printing the Journal of the House of Represent' for their Sessions in Octor & April Last, Amounting to the Sum of £32. 12. 6.

Legislative Records of the Council, xii., 195.

House Journal, p. 31.

[Read and]

Resolved that the Sum of thirty two pounds twelve Shillings & Sixpence be Allowed & paid out of the publick Treasury to Messrs Bartholomew Green & Samuel Kneeland In full Discharge of ye Within Accompt. [*Passed June 12.*

CHAPTER 54.

RESOLVE ALLOWING £15. 1 TO BARTH GREEN.

An Accompt presented by Bartholomew Green of the Charges of Printing Proclamations of the Honble the Lieut. Govr the Treasrs Warrants & other publick papers to April 17th 1724, Amounting to the sum of £15. 1.

Legislative Records of the Council, xii., 196.

House Journal, p. 31.

[Read, and]

Resolved that the Sum of fifteen pounds & one Shilling be Allowed & paid out of the publick Treasury to Bartholomew Green the Accomptant, In full Discharge of the Within Accompt. [*Passed June 12.*

CHAPTER 55.

RESOLVE ALLOWING £3. 4 TO JOS: CARPENTER.

Legislative Records of the Council, xii., 196.

House Journal, p. 33.

AN ACCOMPT presented by Jos: Carpenter of the Charge of Conducting & Victualling Soldiers Impress'd in his Majesties Service from Taunton to Boston, Amounting to the Sum of three pounds four Shillings.

[Read, and]

Resolved that the Sum of three pounds four Shillings be Allowed & paid out of the publick Treasury to the Accomptant Jos: Carpenter in full Discharge thereof. [*Passed June 12.*

CHAPTER 56.

RESOLVE ALLOWING £10. 16 TO EDW^D BRAY.

Legislative Records of the Council, xii., 196.

House Journal, p. 33.

AN ACCOMPT presented by Edward Bray of Diet & Attendance on Jno Green a Soldier wounded in his Majesties Service Eastward, Amounting to the Sum of £10. 16.

[Read, and]

Resolved that the sum of Ten pounds Sixteen Shillings be Allow'd & paid out of the publick Treasury to Edward Bray the Accomptant in full Discharge hereof. [*Passed June 12.*

CHAPTER 57.

RESOLVE ALLOWING £27. 2. 8 TO THE LEGAL REPRESENTATIVE OF JOHN NEGUS.

Legislative Records of the Council, xii., 196.

House Journal, p. 31. *Ante*, p. 419, chap. 409.

AN ACCOMPT presented by Sarah Negus of wages due to her Son John Negus. Decs^d for his Service as Surgeon of the forces Eastward to Decem^r 25th 1723, Amounting to the sum of £27. 2. 8.

[Read, and]

Resolved that the sum of twenty Seven pounds two Shillings & Eight pence be allowed & Paid out of the publick Treasury to the Legal Representative of the Said John Negus in full Discharge of the Above Accompt. [*Passed June 12.*

CHAPTER 58.

RESOLVE ALLOWING £15 FOR HUGH PIKE.

Legislative Records of the Council, xii., 196.

Executive Records of the Council, viii., 37. House Journal, p. 34.

A PETITION of Hugh Pike Shewing that he being Disabled from Labour by wounds he Received in the Service against the Indian Enemy, has every Year except in 1722, rec^d an Allowance from this Court besides his Stated Pension, & praying an Allowance towards his Maintenance & Support Anno 1722, & for his Doctors Bill, Read [Accepted] &

Resolved that the sum of fifteen pounds be allowed & paid out of the

publick Treasury to Richard Kent Esqr for the Use of the Petitioner, He having had no Allowance made him for his Support Anno 1722. [*Passed* June 12.*

CHAPTER 59.

VOTE FOR THE TREAS^R GENERALS DISCHARGE.

The Accompts of Jeremiah Allen Esqr Treas^r & Receiver General of the province of the Massachusetts Bay in New England, Beginning the 31st of May 1723, And Continued to the 30th of May 1724, Amounting to the Sum of One hundred & thirty eight Thousand four hundred twenty five pounds thirteen Shillings & three pence Half peny, Having been presented & Laid before the House of Represent^s & Inspected by Said House, By Which it appears that there was outstanding the 30th of May 1724, Three Thousand two hundred Eighty five pounds fourteen shillings & four pence half peny of the Taxes Forty eight Thousand Seven hundred & Nineteen pounds of the £50,000 Loan, & thirty Thousand Six hundred & forty Pounds four Shillings & ten pence half peny Neet province Bill, & Six hundred & twenty Pounds Seven Shillings & four pence half peny with five per Cent, thereon, In the Treasury further to be Accompted for.

Legislative Records of the Council, xii., 196.

House Journal, p. 25.

Voted that the said Accompts in the Several Articles of Receipts & Payments therein Mention'd, Amounting to the Sum of fifty five Thousand one hundred & Sixty Pounds Six Shillings & Eight pence be and hereby are Allowed And the Said Treasurer is hereby Discharged of the Said sum of Fifty five thousand one hundred & Sixty pounds six Shillings & eight pence. [*Passed June 12.*

CHAPTER 60.

RESOLVE ON SELECT MEN OF SHERBURN THEIR PETITION REFERRING TO BENJ^A TWITCHEL.

A Petition of the Select men of Sherburn, Shewing that one Benjamin Twitchel Late of the Said Town Removed with his family to the Eastward & there enter'd into the Service as a Soldier & was taken Captive by the Indians in 1723, & has Never Since been heard of, So that it is Uncertain Whether he be Dead or Living That the Wife of the Said Twitchwel Return'd to Sherburn & Drop'd her Children in the Said Town & then Absconded, by Which Means She has Occasion'd a Considerable Charge to the Said Town, And therefore Praying that the Wages Due to the Said Twitchwel may be paid to the Select Men & Representative of the said Town, to be Laid out for the Benefit of the Said Children,

Legislative Records of the Council, xii., 197.

House Journal, p. 32. *Ante*, p. 313, chap. 65.

Read &

Resolved that the Treasurer be and hereby is Directed to Deliver & pay to Capt Samuel Bullard what Money Shall Appear to be Due from the Province to the said Benjamin Twitchwel on any Roll, Agreeable to the prayer of the within Petition. [*Passed June 12.*

CHAPTER 61.

RESOLVE FOR EMITTING £25,000 IN BILLS OF CREDIT AND PROVIDING SECURITY.

Legislative Records of the Council, xii., 199.

House Journal, p. 28. Province Laws, i., 16; ii., 343.

PURSUANT to the Directions in the Royal Charter in that Clause or Paragraph Impowering the General Court to Impose & levy proportionable and Reasonable Assesments Rates & Taxes;

Resolved that the Treasurer be and hereby is Impowered & Directed to Issue forth and Emit the Sum of Twenty five Thousand Pounds in the Bills of Credit on this province, for the Necessary Support & Defence of the Government & the Protection & Preservation of the Inhabitants thereof, To be Issued & Disposed of by Warrant under the Hand of the governour or Commander In Chief for the Time being with the Advice & Consent of the Council; Twenty four Thousand pounds thereof Shall be applied for the Uses Intents & Purposes in this Resolve hereafter Express'd; viz. For the payment of all Grants, Preminms & Stipends established by Law For the Defraying & paying the Charges of Castle William & other forts & Garrisons, Transports, Muster Rolls of Soldiers, & Sailors Allowances, & all other Accompts of Charges Allowed & pass'd on for payment by this Court. And that the sum of one Thousand pounds being the Residue & Remaining part of the said Sum of Twenty five Thousand pounds Shall be Applied for the payment of Expresses Dispatch'd in the Service of this Government in the Recess of this Court, togather with all other Necessary Unforeseen Charges that demand prompt payment, which shall Arise in the Recess of the Court as AforeSaid, PROVIDED Alwaies that the Several Draughts made on the Treasurer aforesaid Express & Declare out of Which of the two Several Sums Above Mentioned the Money is to be paid; And the said Bills shall pass out of the Treasury at the Value therein Express'd Equivalent to Money & Shall be so taken & Accepted in all publick payments; And that the Duties of Impost And Excise Shall be a fund & Security for the Repayment & Drawing in the Said bill to the Treasury again So far as that Will Reach;

And as a further Fund & Security for the Same, It is further

Resolved that there be & hereby is Granted to his Most Excellent, Majestie for the Ends & Uses aforesaid & no other ends & Uses what soever, a Tax of Eleven Thousand pounds to be levied upon polls & Estates both Real & personal within this province, According to such Rules & In Such proportion upon the Several Towns & Districts within the Same as Shall be Agreed on & Ordered by the Great & General Court or Assembly of this province at their Session in May one Thousand Seven hundred & twenty Seven, & paid into the Treasury at or before the Last day of December Next after;

And that the further Sum of fourteen Thousand pounds, being the Remainder of the Aforesaid Twenty five Thousand pounds, be levied upon polls & Estates both Real & personal within this province. According to such Rules & in Such proportion upon the Several Towns & Districts within the Same, as Shall be agreed on & Ordered by the great & General Court or Assembly of this Province at their Their[1] Session in May one thousand Seven hundred & twenty eight & paid into the publick Treasury on or before the Last day of Decem^r next after. [*Passed June 13.*

[1] *Sic.*

CHAPTER 62.

RESOLVE ALLOWING £3. 16. 10 TO Lt JNo LARRABEE AND MAKING FURTHER PROVISION FOR VICTUALLING THE GARRISON AT CASTLE WILLIAM.

An Accompt presented by Lieut. John Larrabee of the Charg of Victualling the garrison at His Majesties Castle William &c, from Decr 31. 1723 to May 25th 1724, Amounting to the sum of £203. 16. 10. Legislative Records of the Council, xii., 202.

[Read, Accepted and] House Journal, p. 38.

Resolved that the Sum of one pound Sixteen Shillings & four pence being the Ballance of the Accompt of Victualling Togather with forty Shillings & Six pence (So much advanced & Disbursed by Lieut Larrabee for the Use of the garrison) Making in the Whole the Sum of three pounds Pounds[1] Sixteen Shillings & ten pence be allowed & Paid out of the publick Treasury to Lieut John Larrabee in full Discharge of the Said Accompt, *Ante*, p. 411, chap. 383.

And further to Enable the Said Larrabee to Victuall the Said garrison According to the Establishment, made by this Court the 20th of December past It is further

Resolved that Mr Treasurer be and hereby is Directed to pay And advance to Lieut John Larrabee Six months Pay for Victualling Said garrison according to the said Establishment, Taking Security of him for the true And faithfull Expence thereof. [*Passed June 15.*

CHAPTER 63.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Ye GARRISON AT CASTLE WILLIAM.

A Muster Roll of the Garrison in his Majesties Service at Castle William under the Command of the Honble William Dummer Esqr Containing, an Accompt of Wages Due to the said Garrison for their Service from Sepr 16th 1723, to May 24th 1724, Amounting to the Sum of £585. 8. 5. Legislative Records of the Council, xii., 203. Mass. Archives, xci., 105.

Read and Accepted and Mass. Archives, xci., 104. House Journal, p. 38.

Resolved That the Sum of Five hundred Eighty five pounds, Seven[2] shillings & five pence be allowed & paid out of the publick Treasury to the Honourable William Dummer Esqr the other Officers & Soldiers born on the within Roll to whom the Same is respectively due in full discharge of the Wages due on the within Roll. [*Passed June 15.*

CHAPTER 64.

ORDER ON COMMITTEES REPORT ON THE AFFAIR OF SHEWAMET.

Upon the Petitions of Shewamet[3] & Swanzey, Relating to Shewamets being made a Township &c, The Committee having Considered the purport of the said Petitions, & Particularly That the Inhabitants Legislative Records of the Council, xii., 204.

[1] *Sic.*

[2] So in Mass. Archives, but "eight" in Executive Records of the Council, viii., 38.

[3] "A Petition of William Chase & Seven others Inhabitants of Shewamet in the County of Bristol, Setting forth the great. Difficultyes the Place is under by not being in any Town ship. & therefore Praying that the sd Place may be made a Township with an Addition of Lands, So far as Nepoiset River." — Legislative Records of the Council, xii., 193.

Legislative Records of the Council, xii., 193. House Journal, p. 43. *Ante*, p. 59, chap. 129; p. 214, chap. 157.

of Shewamet pray for an Addition of Lands in order to their Becoming a Township or Otherwise that they may be Laid to Swanzey, & Considering that it doth not Yet appear to the Committee Where Such an Addition of Land may be had to be laid to Shewamet, Neither that it will be agreable to the Town of Swanzey that they be Laid to them; The Committee are therefore humbly of Opinion, That the Said petitions be Refer'd to further Consideration at the Next Sessions of this Court, or to the next May Session, & that in the Interim & until this Court Shall Take further Order, they be put under the Inspection of a Committee to be appointed by this Court, & be Impower'd (by and with the advice & Assistance of Such Committee) to Chuse all Officers & preform all Such Acts as are or Shall be Necessary for their Relief under their present Difficulties.

And Whereas we are Inform'd that a Valuable Tract of Land has formerly been Granted to the proprietors of Shewamet for the Use of an Orthodox Minister there, We think it proper that Attested Copys of the original grants with the Proceedings thereon since Should forthwith be laid before this Court in order to Secure the Said Lands for the Uses Intended by the Donors or Grantees thereof, The Inhabitants having hitherto neglected to procure Such a Minister

Dated June 16th 1724 In the Name & by order of the Committee
NATH^L BYFIELD

In Council; read &

Ordered that this Report be Accepted & that Capt William Throop with Such as the Honble House of Represent^s shall join be a Committee fully Impower'd to Act in the Affairs of Shewamet as Aforesaid; In the House of Represent^s Read & Concur'd, with the Amendments; viz, That the Petition be Refer'd to the Next Fall Session, & that Nathan^l Payne & Thomas Terry Esq^rs be Added to the Committee of the Board for the Affair Abovesaid,

Agreed to In Council. [*Passed June 15.*

CHAPTER 65.

ORDER ON TIM^O SPRAGUES PETITION FOR AN APPEAL FROM A JUDGMENT.

Legislative Records of the Council, xii., 205.

House Journal, p. 43.

A PETITION of Timothy Sprague of Malden Complaining of Sundry Illegal & Irregular proceedings in the Trial of the Petitioner for Defamation before Eleazer Flagg Esqr a Justice of the Peace for the County of Middlesex. upon the Complaint of Benjamin Gerey, John Vinton, & John Gould & Brought by the Appeal of the petitioner to the Court of General Sessions of the Peace for the Said County, And praying that this Court would Afford him Relief in the Premisses,

Read &

Ordered that the petitioner be enabled to have a Trial of the Appeal Mention'd in the Petition at the Court of General Sessions of the Peace for the County of Middlesex, to be held in August, He filing his Reasons According to Law. & Giving Seasonable Notice to the Complainants, & that the Justices of the said Court be and hereby are Impower'd & Directed to hear & Determine the Same; And In Case Justice Flaggs Sentence be Reversed, the Money levied by Execution be Restored to the petitioner, The Quashing the Reasons of Appeal, Or any Law Usage or Custom to the Contrary Notwithstanding; And the former Proceedings in the Said Cause are Declared Null & Void. [*Passed June 16.*

CHAPTER 66.

ORDER ON PETITION OF THE EXEC^RS OF SAM^LL ANGIER MINISTER OF WATERTOWN DEC^D AS TO ARREARS OF SALARY.

A Petition of Ephraim Angiar & Frances Bowman Executors of the Last Will & Testament of Mr Samuel Angier Late Minister of Watertown Dec^d Shewing that Whereas they formerly prefer'd a petition, Setting forth That the Inhabitants of the West part of Watertown were Considerably in Arrears to their Testator & Moving that Some Methods Might be taken for their Relief, No Remedy being to be had in ye Common Law, Upon Which the said Petition was Committed & the Committees Report return'd into Court, but nothing further Acted, Praying that the Court would Revive the Consideration of the Said affair, & give the petitioners such Assistance therein as that they may Obtain their just Right.

Legislative Records of the Council, xii., 206.

House Journal, p. 44. *Ante*, p. 299, chap. 28.

Read &

Ordered that this petition be Committed to the former Committee, And that they be Desired to Make Inquiry Who of the Collectors of the Salary of the Late Mr Angier have Received any Part of the said Salary Which they have not paid, And What particular persons are in Arrears to his Estate Estate[1] & in What Sums, And that they Consider & Report upon the Whole what they think proper for this Court to do for the relief of the Petitioners. [*Passed June 16.*

CHAPTER 67.

ORDER ON PETITION OF Y^E WEST^LY INHABITANTS OF SHERBURN AS TO TAXES FOR BUILDING A MEETING HOUSE.

A Petition of Timothy Leland & Others a Committee of the Inhabitants of the Westerly part of Sherburn Praying that this Court would Direct the Said Town not to Levy any Tax on them for Building the Meeting House till Septem^r Next, The Committee appointed to Consider their former petition not being Able to proceed to Sherburn till the Recess of the Court,

Legislative Records of the Council, xii., 207.

House Journal, p. 44. *Ante*, p. 435, chap. 8.

Read &

Ordered that the prayer of this Petition be granted. [*Passed June 16.*

CHAPTER 68.

ORDER REFERRING TO Y^E NEGLECT OF TIVERTON OFFICERS.

The Officers of the Town of Tiverton for the Year 1723 According to Order Appear'd before the Whole Court, To Shew Cause Why the Tax laid on the Said Town for the Said Year. was not Assessed & Collected According to Law. And being fully heard they Withdrew,

Legislative Records of the Council, xii., 205.

[Whereupon the following action was taken:]

Whereas upon a hearing had this day of Several Officers of the said Town of Tiverton for the Year 1723, Appointed to Appear before this Court to Answer to a Complaint made by the Sheriff of the County of Bristol;

House Journal, p. 46. *Ante*, p. 441, chap. 26. *Infra*, chap. 69.

[1] *Sic.*

It is Evident that the Officers of the Said Town have in Contempt of the Laws of this Province. been Grossly Negligent of their Duty in not Qualifying Assessors as the Law Directs & Assessing & Collecting the Province Tax laid on the said Town for the Said Year; Therefore

Ordered that it be recommended to the Justices of the County of Bristol at their next General Sessions of the peace to Enquire into the said Neglects, & to do therein as to Justice Appertaineth, According to Law, And that they take into Consideration Mr Sheriff Churches Accompt of Charges Occasion'd by the s^d Neglects. [*Passed June 17.*

CHAPTER 69.

ORDER ABATING TIVERTON ADDITIONAL TAX FOR THE YEAR 1723.

Legislative Records of the Council, xii., 209.

House Journal, p. 46. *Ante*, p. 317, chap. 78. *Supra*, chap. 68.

WHEREAS it appears upon Inquiry that the Seventy two pounds Eleven Shillings being an Additional Tax laid on the Town of Tiverton in the year 1723, for the Support of a Learned & Orthodox Minister there was not Drawn out of the Treasury for that Service, The Minister that was Sent thither after a Years Trial being Discouraged by the preverse and Untractable Temper & Carriage of the Said people, It is therefor

Ordered that the Treasurer Receive of the said Town of Tiverton the Sum of Twenty Seven pounds & Nine shillings as their Tax for the Said year 1723. [*Passed June 17.*

CHAPTER 70.

RESOLVE ALLOWING PAYMENT OF CAP^T SAM^L WRIGHTS MUSTER ROLL.

Legislative Records of the Council, xii., 209. Mass. Archives, xci., 117.

Mass. Archives, xci., 116. House Journal, pp. 42, 43.

A MUSTER ROLL of the Company in His Majesties Service Westward under the Command of Capt Saml Wright Containing an Accompt of Wages due to them for their Service from Novem^r 10th 1723, to June 10th 1724, togather with their Billiting for the Said Time. Amounting in the Whole to the Sum of £883. 6. 6.

Read and Accepted and

Resolved That the S$\overline{\text{um}}$ of Six hundred pounds Seventeen shillings & eleven pence. be allowed and paid out of the publick Treasury to Capt Samuel Wright the other Officers & Soldiers born on the within Roll in full discharge of the Wages thereof as the Same is respectively due, and that the further S$\overline{\text{um}}$ of Two hundred Eighty two pounds, eight shillings & seven pence be allowed and paid out of the publick Treasury to the said Capt Samuel Wright to be by him repaid to the person or persons that have Subsisted the said Men first deducting what the Treasurer has Advanced or Supplyed for Subsistence for them in full discharge thereof. [*Passed June 17.*

CHAPTER 71.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF Y^E SLOOP MERRY MEETING.

A Muster Roll of Capt Thomas Saunders Commander of the Sloop Merry Meeting (a Transport in the Service of this province) Containing an Accompt of Wages due to the Said Master & Company for their Service from Decem^r 13th 1723 to June 11th 1724, togather with the Hire of the said Sloop the said Time. Amount^s to the Sum of £243. 15.

Legislative Records of the Council, xii., 209. Mass. Archives, xci., 120.

Read and Accepted and

Resolved That the Sum of Two hundred Forty three pounds, fifteen shillings be allowed & paid out of the publick Treasury to the said Thomas Sanders to be by him paid to the respective persons to whom it is due in full discharge of the Wages & Sloop hire thereof. [*Passed June 17.*

Mass. Archives, xci., 119. House Journal, p. 43.

CHAPTER 72.

RESOLVE ALLOWING PAYMENT ON CAP^T JON^A WELLS ACCOMPT OF WAGES & SUBSISTENCE OF SOLD^RS.

An Accompt. presented by Capt Jonathan Wells of Wages & Billiting due to himself & the Soldiers at Deerfield put under his Command. for their Service from August 22^d to Jany 11th 1723, Togather with the Charge of their Horses the said Time, Amounting to the Sum of £90. 6. 8.

Legislative Records of the Council, xii., 210.

House Journal, p. 43.

[Read Accepted and]

Resolved that the Sum of fifty Nine pounds Six Shillings & eight pence be Allowed & paid out of the publick Treasury to Capt Thos Wells to be by him Repaid to the persons to Whome the Same is Respectively Due in full Discharge of the Whole Wages & Subsistence Charged as on the other Side (The horses & their Subsistence not being a proper Article). [*Passed June 17.*

CHAPTER 73.

ORDER ALLOWING CO. TREASURER OF ESSEX HIS ACC^O.

An Accompt presented by John Appleton Esqr Treasurer of the County of Essex for the Year 1723 Having been Laid before the Court of General Sessions of the Peace for the Said County & by them Allowed,

Legislative Records of the Council, xii., 210.

House Journal, p. 45.

Read &

Ordered that this Acc^o be Allowed. [*Passed June 17.*

CHAPTER 74.

RESOLVE ALLOWING £46. 11 TO JOSIAH WILLARD.

An Accompt presented by Josiah Willard Esq Secretary for Transcribing the Records of the general Assembly from the Session held March the 10th 1702 (begining thereof) to the end of the Session held

Legislative Records of the Council, xii., 210.

House Journal, p. 45.

May 29th 1706, and the Table, And from the 4th of June 1719, to the Begining of the Session held May 25th 1720, & the Table, Amounting in all to the Sum of £46. 11.

[Read, Accepted and]

Resolved that the Sum of forty Six Pounds & Eleven Shillings be Allowed & paid out of the publick Treasury to to[1] Josiah Willard Esqr in full Discharge of the Within Accompt. [*Passed June 17.*

CHAPTER 75.

ORDER APPOINTING A COMMITTEE OF BOTH HOUSES FOR RETRIEVING YE VALUE OF THE BILLS.

Legislative Records of the Council, xii., 211.

Legislative Records of the Council, xii., 172. House Journal, p. 48.

In Council

Ordered that Nathal Byfield, Addington Davenport, John Clark, Thos Hutchinson & Thos Palmer, With Such as the Honble House of Represent^s Shall join be a Committee to Consider of Some proper Methods for Retrieving the Value of the Bills of Credit, Pursuant to a Paragraph of his Honour the Lieut Governrs Speech at the Opening of this Session, Recommending the Same to the Consideration of this Court, And that the Committee be Desired to Sit once every Week at Least in the Recess of the Court, Until their Report be perfected; In the House of Represent^s Read & Concurd, and

Ordered that William Dudley, Henry Phillips, Jonathan Remington Esqrs Mr Lewis, Major Quincy & Mr Clark be join'd with the Committee of the Board in the Affair. [*Passed June 17.*

CHAPTER 76.

RESOLVE ALLOWING £17. 12 TO JNO PELL.

Legislative Records of the Council, xii., 211.

House Journal, p. 46.

AN ACCOMPT presented by John Pell of his Time & Expence in Riding Express with Letters from the Commissrs at Albany at two Several Times, Amounting to the Sum of £20.

[Read, Accepted and]

Resolved that the Sum of Seventeen Pounds twelve Shillings be Allowed & paid out of the Publick Treasury to John Pell in full Discharge of this Accompt. [*Passed June 17.*

CHAPTER 77.

RESOLVE ALLOWING 50/ 3 TO CAPT JNO FOWL.

Legislative Records of the Council, xii., 211.

House Journal, p. 45. *Ante*, p. 404, chap. 358.

A PETITION of Capt John Fowle, Shewing that in Making up his Muster Roll for the Service of his Troop the last fall, he Omitted one Thos Carter, Whom he had Sent Express to Collo Buckminster, & that he has paid the Said Carter the Sum of fifty Shillings & three pence. So much being Due for his Said Service, And therefore praying that the Said Sum may be Allowed to him out of the publick Treasury,

Read &

Resolved that the Sum of fifty Shillings & three pence be allowed &

[1] *Sic.*

paid out of the publick Treasury to Mr Daniel Peirce to be by him paid to Capt John Fowle to Reimburse him the Like Sum paid to the within Named Thos Carter. [*Passed June 17.*

CHAPTER 78.

RESOLVE ALLOWING £26. 6. 1 TO EDWARD WINSLOW ESQR.

A Memorial of Edward Winslow Esqr Sheriff of the County of Suffolk Shewing, that by order of his Honour the Lieut. Governr He took Care of Andrew Harradine & his Company, Who had Suppress'd & Brought in Several Pyrates, That he was at Considerable Charge in Subsisting the Said Company & in Providing Guards to Secure the Said Pyrates &c, As may Appear by his Accompt, That he & his Officers were much employed & their Time taken Up in this Service, And therefore praying an Allowance for the Same,

Legislative Records of the Council, xii., 212.

House Journal, p. 46. *Ante*, p. 437, chap. 14.

Read [Accepted] &

Resolved that the Sum of Twenty Six pounds six Shillings & one penny be Allowed & paid out of the publick Treasry to Edward Winslow Esqr in full Discharge of the Above Accompt Agreeable to the Committees Report thereon. [*Passed June 18.*

CHAPTER 79.

ORDER APPOINTING A COMMITTEE OF BOTH HOUSES FOR THE REPAIRS AT THE LIGHT HOUSE & CASTLE.

A Memorial of Capt Jno Hayes Keeper of the Light House on Beacon Island, Shewing that the Repairs of the Wharfe there was not fully perfected the last Year nor a Well Dug, Nor the Breaches in the Light House Mended & closed, So that the House Suffers every Day & the Breaches grow Worse, & therefore praying that this Court would take proper Methods in the premisses

Legislative Records of the Council, xii., 213.

House Journal, p. 52. *Ante*, p. 300, chap. 32.

Read &

Ordered that the Last Committee for the Repairs of Castle William & the Light House be revived, & Collo Tailer be Added to them, one of the said Committee being Absent. [*Passed June 18.*

CHAPTER 80.

RESOLVE ALLOWING £10. 4 TO JNO FLAGG.

An Accompt presented by John Flagg of his Time & Expence in Riding Express at Several Times by Order of the Governt & of Candles Provided for the General Assembly, Amounting to the Sum of £8. 14. Besides his Loss by the Sea Men that were Impress'd for his Majesties Ship Sea Horse & were Lock'd up in his Shop, Who Spoil'd many of his Tools & Carried Several things away to the Value of five pounds For Which the Accomptant prays an Allowance from this Court,

Legislative Records of the Council, xii., 214.

House Journal, pp. 49, 50.

Read &

Resolved that the Sum of Ten Pounds four Shillings be Allowed & paid out of the publick Treasury to John Flagg to Discharge the Within Accompt. [*Passed June 18.*

CHAPTER 81.

RESOLVE ALLOWING £5. 7. 2 TO EDW^D WINSLOW.

Legislative Records of the Council, xii., 214.

House Journal, p. 47.

AN ACCOMPT Presented by Edward Winslow Esqr of Sundry Expences for Horse Hire, Clothing for the Indians in Prison, Work at the Province House &c Amounting to the Sum of £5. 7. 2.

[Read, Accepted and]

Resolved that the Sum of five pounds Seven shillings & two pence be Allowed & paid out of the publick Treasury to Edward Winslow Esqr in full Discharge of the Within Accompt. [*Passed June 18.*

CHAPTER 82.

RESOLVE ALLOWING £21. 10 TO SHER'F. WINSLOW.

Legislative Records of the Council, xii., 214.

House Journal, p. 46.

AN ACCOMPT presented by Edward Winslow Esqr of Proclamations Writts for Calling a General Assembly, Expresses, his Time in Attending on the Governm^t &c Amounting to the Sum of £35. 16. 9.

[Read, Accepted and]

Resolved that the Sum of Twenty one pounds ten Shillings be Allowed & paid out of the publick Treasury to Edward Winslow Esqr in full Discharge of the Within Accompt. [*Passed June 18.*

CHAPTER 83.

RESOLVE ALLOWING 15/ TO JANE CHAMBERLAIN.

Legislative Records of the Council, xii., 215.

House Journal, p. 48.

AN ACCOMPT presented by Jane Chamberlain of the Charge of Nursing Joseph Chamberlain a Soldier Amounting to the Sum of fifteen Shillings

[Read, and]

Resolved that the Sum of Fifteen Shillings be Allowed & paid out of the publick Treasury to Coll^o Eleazer Tyng to be by him paid to the Said Jane Chamberlain in full Discharge of this Accompt. [*Passed June 18.*

CHAPTER 84.

RESOLVE ALLOWING £20 IN SUPPORT OF THE MINISTRY AT SCARBOROUGH.

Legislative Records of the Council, xii., 215.

Legislative Records of the

A PETITION of Mr Hugh Henry, Minister of Scarborô Shewing that he Carried on the Work of the Ministry in the Said place for a Considerable Time, And the Inhabitants being Impoverished by the War & Render'd Uncapable of Supporting him, his Chief Dependence was

on a Tax to be laid on the Marshes & other Improved Lands in the Said Town, But the Bill brought in for that purpose not Obtaining in Council, he is in no prospect of Having the Necessary Maintanence from that People & therefor Praying the Assistance & Bounty of this Court,

Council, xii., 190, 203. House Journal, pp. 47, 48. *Ante*, p. 378, chap. 279.

Read &

Resolved that in Consideration of the present War with the Eastern Indians, Which has Reduced the Town of Scarborô to low Circumstances, & their Willingness to Support the Ministry among them so far as they are able, And to Encourage them further in So good a Design, And there being Soldiers in the Service & pay of this Governm^t posted there & No Chaplain Allowed them, That the Sum of Twenty Pounds be Allowed & Paid out of the publick Treasury to Mr Hugh Henry in Answer to this Petition. [*Passed June 18.*

CHAPTER 85.

RESOLVE ALLOWING £15. 14 TO ALLISON BROWN.

A Petition of Allison Brown, Shewing that one Samuel Smith a Soldier at Arundel received a Wound from the Indians through his Body of Which he Afterwards Died, That the petitioner having the Command of the Soldiers there Expended in Doctors, Nursing, Funeral Chargs &c, the Sum of £22. 14. 9 as Will appear by the Annex'd Accompt, That the Wages Due to the said Smith is £11. 4. And Praying that he may be Allow'd the Said Wages & Such further Sum as will Satisfye him for his Disburstments Above Mentioned.

Legislative Records of the Council, xii., 215. House Journal, p. 47.

Read [Accepted] &

Resolved that the Sum of Eleven Pounds & four Shillings being Samuel Smiths Wages, & the further Sum of four pounds Ten Shillings, Making in the Whole the Sum of fifteen pounds fourteen Shillings be Allowed & paid out of the publick Treasury to Sergeant Allison Brown in full Discharge of the Accompts refer'd to in the Petition. [*Passed June 18.*

CHAPTER 86.

RESOLVE ALLOWING 35/ TO DR EBENE^R TAYLOUR.

An Accompt presented by Dr Ebenezer Taylour of Medicines & Attendance on Joseph Chamberlain a Soldier, Amounting to the Sum of £1. 15.

Legislative Records of the Council, xii., 215. House Journal, p. 48.

[Read, and]

Resolved that the Sum of thirty five Shillings be allowed & Paid out of the publick Treasury to Dr Ebenezer Taylor Taylour[1] in full Discharge of the Within Accompt. [*Passed June 18.*

[1] *Sic.*

CHAPTER 87.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF SERGT ALLISON BROWN.

Legislative Records of the Council, xii., 216. Mass. Archives, xci., 122.

A MUSTER ROLL of the Soldiers in his Majesties Service at Arundel under the Command of Sergeant Allison Brown Containing an Accompt of Wages Due to them for their Said Service from Novr 18th 1723 to June 12th 1724, Amounting to the Sum of £329. 14. 6.

Mass. Archives, xci., 121. House Journal, p. 47.

Read and Accepted and

Resolved That the Sum of Three hundred Twenty Nine pounds One shilling & one penny be allowed & paid out of the publick Treasury to Serjt Allacon Browne & the Soldiers born on the within Roll, to whom the Same is respectively due in full discharge of the Wages thereof. [*Passed June 18.*

CHAPTER 88.

ORDER ON BENJA WANNOES PETITION FOR KITTICUT INDIANS AS TO BOUNDS &c.

Legislative Records of the Council, xii., 213.

A PETITION of Benja Wannoe In Behalf of himself & the Indians of Kitticut Shewing that the Bounds of their Plantation towards Taunton & Middleborô have been Run & Settled to the Mutual Satisfaction of all Parties, But the Inhabitants of Bridgewater disagree with the petitioners as to thier Boundary on that Side, And therefore praying that a Committee may be Appointed to Run And Settle the said Line; And that the petitioner Wonnoe may be Impowred to sell Some Part of his Land in the Said Plantation in Order to Discharge Some Debts Contracted by him in Law Suits,

House Journal, p. 52. Province Laws, ix., 445, chap. 145; 470, chap. 27.

In Council; Read &

Ordered that the Prayer of this petition be So far Granted as that Samll Thaxter Esqr with Such as the Honble House of Represents Shall Appoint be a Committee to Run the Bounds between the Indian Plantation of Kitticut & the Town of Bridgewater,

In the House of Represents Read & Concurd &

Order'd that John Quincy, & Jacob Thompson Esqrs be join'd in the Affair, And that the Town of Bridgewater have Seasonable Notice given them thereof. [*Passed June 19.*

CHAPTER 89.

RESOLVE ALLOWING £7. 13. 4 TO ROGER MITCHEL.

Legislative Records of the Council, xii., 216.

AN ACCOMPT presented by Roger Mitchel of Attendence & Necessarys Supplied Dr John Negus Surgeon of the Forces in his Sickness of Which he Died Amounting to the Sum of £9. 13. 4.

House Journal, p. 50. *Ante*, p. 452, chap. 57.

[Read, Accepted and]

Resolved that the Sum of Seven pounds thirteen Shillings & four pence be Allow'd & paid out of the publick Treasury to Roger Mitchel the Accomptant in full Discharge of the Above Accompt. [*Passed June 19.*

CHAPTER 90.

RESOLVE ALLOWING £20 TO JAMES PITSON.

A Petition of James Pitson of Boston, Shewing that in the Month of November Last he Received [of] one John Michael Kent, (just then Arived from London) two Ten shilling Bills In Imitation of the Bills of this Province, Wch he Suspecting to be Counterfeit, Applied himself to a Justice of the Peace, Who upon examining the said Kent Order'd his Lodgings to be Searched, Where were found £180 In false & Counterfeit Bills, Whereupon the said Kent was Committed to his Majesties Goal in Order to his Tryal for Making or Uttering the said Counterfiet money, And therefore praying that he may be granted such a Reward for his Good Service in Making the Said Discovery, as to this Court Shall seem fit,

Legislative Records of the Council, xii., 173, 217.

House Journal, p. 50. *Infra*, chap. 91.

Read &

Resolved that the Sum of Twenty Pounds be Allowed & Paid out of the Publick Treasury to James Pitson in full Satisfaction for the Services Mentioned in the petition. [*Passed June 19.*

CHAPTER 91.

RESOLVE ALLOWING £5 TO JOHN CARNES.

A Memorial of Edward Winslow Esqr Shewing that John Carns of Boston Brazier made the first Discovery of the Counterfeit Bill. first put off by John Michael Kent. that the Memorialist togather with Edward Hutchinson Esqr took great Pains to Make further Discovery in that Matter, The Memorialist having gain'd Intelligence of the Plates & Graver which he Sent to Mr Agent Dummer in order to his Inquiry into the Affair, And therefore Moving for Some Allowance to John Carnes, Edward Hutchinson Esqr James Pitson & himself. for the Said Services

Legislative Records of the Council, xii., 217.

House Journal, p. 50. *Supra*, chap. 90.

Read [Accepted] &

Resolved that the Sum of five Pounds be Allowed & paid out of the publick Treasury to John Carnes in full for his Service Mention'd in the petition. [*Passed June 19.*

CHAPTER 92.

RESOLVE ALLOWING £4 TO Lt JOSEPH BANE.

An Accompt presented by Lieut. Joseph Bane of Charges in Coming Express from Casco to Boston in the publick Service by Order of Coll: Thomas Westbrook, Amounting to the Sum of £4.

Legislative Records of the Council, xii., 217.

[Read, and]

Resolved that the Sum of four pounds be Allowed & paid out of the publick Treasury to Joseph Bane in full Discharge of the Accompt Annexed. [*Passed June 19.*

House Journal, p. 51.

CHAPTER 93.

RESOLVE ALLOWING £30. 1. 4 TO DR THOS ALDEN.

Legislative Records of the Council, xii., 217.

House Journal, pp. 26, 50.

A PETITION of Dr Thomas Alden, Shewing that there having been no Surgeon for a Considerable Time Allowed to the Forces on the Western Part of the County of York, he has had the Care of the Sick & Wounded in that Part, & has Made Several Cures Among the Soldiers as May Appear by the Several Certificates under the hands of the Respective Officers, And therefore Praying the Allowance of the Accompt here unto Annexed, Amounting to the Sum of £45. 6.

Read [Accepted] &

Resolved that the Sum of Thirty Pounds one Shilling & four pence be Allowed & paid out of the Publick Treasury to Dr Thomas Alden in full Satisfaction & Answer to his petition, Agreeable to the Report of the Committee. [*Passed June 19.*

CHAPTER 94.

RESOLVE ALLOWING £3. 6 TO JNO STEBBINS.

Legislative Records of the Council, xii., 218.

House Journal, p. 50.

AN ACCOMPT. of John Stebbins. of Time & Expence in going Express to New London by Order of the Governmt Amounting to the Sum of Six Pounds

[Read, Accepted and]

Resolved that the Sum of Three pounds & Six Shillings be Allowed & paid out of the Publick Treasury in full Discharge of the Said Accompt. [*Passed June 19.*

CHAPTER 95.

RESOLVE ALLOWING £78. 4. 9 TO DAV: MELVIL.

Legislative Records of the Council, xii., 218.

House Journal, p. 52.

AN ACCOMPT presented by David Melvil of the Charge of Keeping & Subsisting divers Indian Prisoners in the Goal in Boston from Decemr 14th 1723, to May 6th 1724, Togather with what was Underpaid in the Last Accompt Amounting in all to the Sum of £135. 4.

[Read, Accepted and]

Resolved that the Sum of Seventy eight Pounds four Shillings & Nine pence be Allowed & paid out of the Publick Treasry to David Melvil in full Satisfaction & Discharge of the Within Accompt in the Several Articles thereof. [*Passed June 19.*

CHAPTER 96.

RESOLVE ALLOWING £75. 10 TO EDMD MOUNTFORTH.

Legislative Records of the Council, xii., 218.

House Journal, p. 53.

AN ACCOMPT Presented by Edmund Mountforth, of Wages due to him for his Service as Assistant to the Treasurer in Delivering out the Publick Stores to the Forces Eastward from August 20th 1723, to June 16th 1724, Amounting to the Sum of £75. 10.

[Read, and]
Resolved that the Sum of Seventy five pounds Ten shillings be Allowed & paid out of the Publick Treasury to Mr Edmud Montforth in full Discharge of the Within Accompt. [*Passed June 19.*

CHAPTER 97.

RESOLVE ALLOWING £80. 15. 10 TO BENJA EVERENDEN.

An Accompt presented by Benjamin Everenden, of the Charge of New Making fifty Barrells of Gun Powder being Decay'd for the Publick, with the Charges thereon, Amountg to the Sum of £110. 15. 10 Advanced £30 & Remaining Due to Ballance £80. 15. 10.

Legislative Records of the Council, xii., 218.

House Journal, p. 53.

[Read and]
Resolved that the Sum of eighty Pounds fifteen Shillings & ten pence be Allowed & paid out of the publick Treasry Treasury[1] to Collo Robert Spurr, to be by him Repaid to the persons to Whom the Same is due in full Discharge of the within Accompt. [*Passed June 19.*

CHAPTER 98.

RESOLVE ALLOWING £17. 0. 6 TO RICHD SMITH.

An Accompt presented by Richard Smith of Wood Supplied for ye Service of the Garrison at his Majesties Fort Mary at Winter Harbour, Amounting to the Sum of £17. 0. 6.

Legislative Records of the Council, xii., 219.

House Journal, p. 53.

[Read and]
Resolved that the Sum of Seventeen pounds & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Richard Smith in full Discharge of the Within Accompt. [*Passed June 19.*

CHAPTER 99.

RESOLVE ALLOWING PAYMENT OF Lt JABEZ FAIRBANKS MUSTER ROLL.

A Muster Roll of the Company in his Majesties Service on the Western frontiers under the Command of Lieut. Jabez Fairbanks Containing an Accompt of Wages due to them for their Said Service from the 10th of Novr 1723, to ye 13th of June 1724, Togather with the Accompt of Billiting the Said Company ye Said Time, Amounting in the Whole to the Sum of £751. 19. 8.

Legislative Records of the Council, xii., 219. Mass. Archives, xci., 125.

Mass. Archives, xci., 124. House Journal, p. 53.

Read and Accepted and
Resolved That the Sum of Seven hundred and Fifty One pounds, Nineteen shillings & Eight pence be allowed and paid out of the publick Treasury to Lievt Jabez Fairbanks to be by him repaid to the Officers & Soldiers born on the within Roll & the person or persons that have Subsisted them in full discharge of the Wages & Subsistence thereof first deducting what the Treasurer has Advanced or Supplyed for Subsistence. [*Passed June 19.*

[1] *Sic.*

CHAPTER 100.

RESOLVE REFERING TO Y^E ALLOWANCE FOR PROVINCE ARMS.

Legislative Records of the Council, xii., 219.

House Journal, pp. 7, 31, 51, 52.

Resolved that upon one of the Commission Officers, Sergeants or Clerks of the Companies on the Late Canada Expedition 1711, Making Oath before Mr Treasurer, That the Men born on the Rolls of their Respective Companies have Returned thier Arms to the province, They or their Lawfull Represent^s Shall Receive the fifty Shillings Allowed by the general Court in Lieu of the Arms out of the Treasury, And Where it so happens that any of the Officers that Come to Make Oath as Aforesaid, are Under any Difficulty as to the Certainty of any one or More of the Said Soldiers returning their Arms, In Such Case, the Said Soldier or Soldiers Making Oath before any one of his Majesties Justices of the Peace or before Mr Treasurer That they Did Bona Fide Return their Arms shall receive the fifty Shillings out of the Treasury as Aforesaid. [*Passed June 19.*

CHAPTER 101.

ORDER ON CAP^T GEORGE BEALS PETITION IN REGARD TO THE DUTY OF POWDER MONEY ON THE QUEEN ELIZABETH, ON TRANSFER OF THE DUKE OF PORTLAND'S SHARE IN THE SHIP.

Legislative Records of the Council, xii., 203, 220.

Province Laws, ii., 323.

[UPON] A MEMORIAL of Capt George Beal, Commander of the Ship Queen Elizabeth, Shewing that the Said Ship is own'd by his Grace the Duke of Portland Governour of Jamaica & himself, That the Commiss^rs of Impost Demands of him the Duty of Tunnage or Powder Money for the Duke of Portlands Part, W^ch he thinks by the Law of this Province ought not to be paid. His Grace being a Peer of Great Britian & Come abroad only on the Kings Errand, And therefore ought to be Esteem'd an Inhabitant of Great Britian, Besides that the Dukes Part is Made over to his Son, The Marquis of Titchfield, and therefore praying that the Commiss^rs of Impost may be Directed to Clear the Said Ship, without Insisting upon his Demand of the Duty of Tunnage or Powder Money as Afores^d [The following action was taken:]

WHEREAS Capt George Beal by his Memorial to this Court hath Represented that his Grace the Duke of Portland hath Transfer'd his part of the Ship Queen Elizabeth of Which the Said Beal is Commander To his Son the Marquiss of Titchfield who is in & of Great Britian;

Ordered that the Impost Officer do not insist on Receiving that part of the powder Money for the Said Ship.[1] [*Passed June 19.*

CHAPTER 102.

ORDER ON PETITION OF Y^E INHABITANTS OF THE WESTERN PART OF DORCHESTER TO BE ANNEXED TO WRENTHAM.

Legislative Records of the Council, xii., 220.

A PETITION of the Inhabitants of the Westermost part of the Town of Dorchester, Shewing that they are Scituated at Such a Distance from the Body of the Said Town, that they ly thirty Miles from the

[1] Not found in the House Journal.

Old Meeting House & fifteen from the Southern Meeting House at Puncapaug, So that they are under great Disadvantages for attending the publick Worship there, the Education of their Children, & Giving their Attendance on the Civil & Military Affairs of the Said Town That they are within three or four Miles of the Meeting House at Wrentham & have Petition'd the Town of Dorchester to be Set off to Wrentham, but they Denied their Petition, And therefore praying this Court to order that the gore of Land on Which they are Settled may be Annex'd to Wrentham. House Journal, p. 49.

Read & Refer'd to the Next Fall Session, & the Town of Dorchester be Served with a Copy by the Petitioners. That they may Shew Cause if any they Have, Why the Prayer thereof Should not be granted. [*Passed June 19.*

CHAPTER 103.

RESOLVE ALLOWING £23. 17. 6 TO JOS: BANE.

A Petition of Joseph Bane, Shewing that he hath been Employed as a Pilot of the Forces Eastward from Feby. 1722. 3, to this Time & has Conducted & Commanded Several Parties of Soldiers against the Indians & has Encounter'd with great Difficulties in his Several Marches as May Appear by his Journals & that he has hitherto by the Neglect of the Officer been Enter'd & paid only as a Sergeant, And therefore praying Some proper Allowance for his Services Abovesaid Legislative Records of the Council, xii., 220. House Journal, p. 53.

Read [Accepted] &

Resolved that the Sum of Twenty three pounds seventeen Shillings & Six pence be Allowed & paid out of the Publick Treasury to the Petitioner Lieut. Joseph Bane in Answer to his petition. [*Passed June 19.*

CHAPTER 104.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT FORT MARY.

A Muster Roll of the Garrison at his Majesties Fort Mary at Winter Harbour under the Command of Capt Sam^ll Hinks. Containing an Accompt of Wages due to them for their Said Service from Decr 24th 1723, to June 16th 1724, Amounting to the Sum of £124. 2. 8. Legislative Records of the Council, xii., 228. Mass. Archives, xci., 123.

Read and accepted and

Resolved That the Sum of One hundred & Twenty four Pounds, two shillings & Eight pence be allowed and paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll in full discharge of the Wages thereof. [*Passed June 19.*[1] Mass. Archives, xci., 123. House Journal, pp. 53, 54.

CHAPTER 105.

ORDER ON JOS: RUGGLES PETITION, GRANTING AN AMENDMENT OF REASONS OF AN APPEAL.

A Petition of Joseph Ruggles of Roxbury, Shewing that he Brought his Action against one William Gould for a Special fraud to his Damage Legislative Records of the Council, xii., 208.

[1] This date is according to Mass. Archives and the House Journal; according to Legislative Records of the Council the date is June 20.

House Journal, p. 60.

twenty pounds before the Inferiour Court of Common pleas held at Boston for the County of Suffolk on the first Tuesday in January, & then & there Lost the Same, & in the Said Action filing his Reasons of Appeal, Alledgeth therein through Mistake that the Said Suit was brought to the Inferiour Court of Common pleas held at Boston in April Last, And therefore praying the favour of this Court that the Said Reasons may be Amended, & that the said Defendant. or Appellee may take No Advantage of the Said Mistake but that the Action may proceed to Trial at this present Session of the Superiour Court,

Read &

Ordered that the Justices of the Superiour Court be Impowered & Directed to Allow of the Amendment[s] of the Reasons of Appeal Mention'd in the petition, & to Hear & Determine the said Cause, The Mistake in the s[d] Reasons, or any Law Usage or Custom to the Contrary Notwithstanding. [*Passed June 20.*

CHAPTER 106.

RESOLVE ALLOWING £4. 14. 3 TO DISCHARGE COLL CHANDLERS ACC[o] OF ASSISTANCE SENT TO RUTLAND.

Legislative Records of the Council, xii., 221.

House Journal, p. 54.

AN ACCOMPT presented by Coll[o] John Chandler of the Service of Cap[t] John Chandler & Nine Others Sent by him to the Relief of Rutland at the Time When the Rev[d] M[r] Joseph Willard was Killed, They being out with their Horses three Days

[Read, Accepted and]

Resolved that the Sum of four Pounds fourteen Shillings & three pence be Allow'd & paid out of the publick Treasury to Coll. John Chandler to be by him repaid to the Respective Persons to Whom the Same is due in full Discharge thereof. [*Passed June 20.*

CHAPTER 107.

RESOLVE ALLOWING PAYMENT OF CAP[T] JN[o] CHANDLERS MUSTER ROLL OF BROOKF[D] SCOUT.

Legislative Records of the Council, xii., 221.

House Journal, p. 54.

A MUSTER ROLL of the Company of Horse under the Command of Cap[t] John Chandler, Containing an Accompt of Wages due to them for thier Service as a Scout to Brook field (occasion'd by an Allarm there) from Sep[t] 30th to Octo[r] 2[d] 1722, togather with the Charge of Subsistence

[Read, and]

Resolved that the Sum of Nine pounds Seven Shillings & Six pence be Allowed & paid out of the publick Treasury to Coll John Chandler to be by him Repaid to the Several Persons that preform'd y[e] within Mention'd Service. [*Passed June 20.*

CHAPTER 108.

RESOLVE ALLOWING PAYMENT OF CAP[T] JN[o] CHANDLERS MUSTER ROLL OF RUTLAND SCOUT.

Legislative Records of the Council, xii., 222.

A MUSTER ROLL of a Company in His Majesties Service under the Command of Cap[t] John Chandler (being Horse men) on a Scout to

Rutland (occasion'd by an Allarm) Containing an Accompt of Wages & Subsistence for thier Said Service from August 5th to Augst 10th 1722, [Read, Accepted and]

House Journal, p. 54.

Resolved that the Sum of eighteen pounds ten Shillings & Nine pence be Allowed & paid out of the publick Treasury to Coll John Chandler to be by him Repaid to the persons to Whom the Same is due for ye Services within Mention'd in full Discharge thereof. [*Passed June 20.*

CHAPTER 109.

RESOLVE ALLOWING PAYMENT ON CAPT JOS: KELLOGGS MUSTER ROLL.

A Muster Roll of the Company in his Majesties Service at Northfield under the Command of Capt Jos: Kellogg, Containing an Accompt of Wages due to them for their sd Service from Novr 20th 1723, to May 19th 1724, tog[e]ther with the Billiting of the Said Soldiers the Said Time, Amounting in the Whole to the sum of £945. 19. 10.

Legislative Records of the Council, xii., 222. Mass. Archives, xci., 103.

Read and Accepted and

Mass. Archives, xci., 102. House Journal, p. 57.

Resolved That the Sum of Six hundred, forty Eight pounds ten shillings & Seven pennys be allowed and paid out of the publick Treasury to Capt Joseph Kellogg the other Officers and Soldiers born on the within Roll to whom the Same is Respectively due in full discharge of the Wages thereof and that the further Sum of Two Hundred Ninety four pounds, ten shillings & Nine pence be allowed and paid out of the publick Treasury to Capt Thomas Wells to be by him repaid to the person or persons that have Subsisted the said men (first deducting what Mr Treasurer has Advanc'd or Supply'd for Subsistence) in full discharge thereof, agreable to the above Report. [*Passed June 20.*

CHAPTER 110.

RESOLVE ALLOWING £10. 15. 6 TO EDMD MONTFORTH.

An Accompt presented by Edmund Mountforth of Disburstmts for Repairing Whaleboats & Other Things for his Majesties Service Eastward Amounting to the Sum of £10. 15. 6.

Legislative Records of the Council, xii., 223.

[Read, Accepted and]

House Journal, p. 59.

Resolved that the Sum of Ten pounds fifteen Shillings & Six pence be Allowed & paid out of the publick Treasury to Edmund Montforth in full Discharge of this Accompt. [*Passed June 20.*

CHAPTER 111.

RESOLVE ALLOWING £34. 0. 6 TO LUKE VARDY.

An Accompt presented by Luke Vardy of the Charg of Entertaining His Honour the Lieut Gov & the Council at Dinner on the Day of Election of Councellors, Amounting to the Sum of £34. 0. 6.

Legislative Records of the Council, xii., 223.

[Read, and]

House Journal, p. 57.

Resolved that the Sum of thirty four pounds & Six pence be Allowed & paid out of the publick Treasury to Luke Vardy the Accomptant in full Discharge hereof. [*Passed June 20.*

CHAPTER 112.

RESOLVE ALLOWING £5. 16. 3 TO RICH^D HALL.

Legislative Records of the Council, xii., 223.

House Journal, p. 60.

AN ACCOMPT presented by Richard Hall of the Expence of Several Committees at his House, Amounting to the Sum of £5. 16. 3.

[Read, and]

Resolved that the Sum of five pounds Sixteen Shillings & three pence be allowed & paid out of the publick Treasury to Richard Hall the Accomptant in full Discharge hereof. [*Passed June 20.*

CHAPTER 113.

RESOLVE ALLOWING £2. 7 TO REBECCA HOLMES.

Legislative Records of the Council, xii., 223.

House Journal, p. 60.

AN ACCOMPT presented by Rebecca Holmes of the Expence of Committees of the House at Several Times, Amounting to the Sum of £2. 7.

[Read, and]

Resolved that the Sum of two pounds Seven Shillings be allowed & paid out of the publick Treasury to Rebecca Holems In full Discharge of this Accompt. [*Passed June 20.*

CHAPTER 114.

RESOLVE ALLOWING £16. 18. 6 TO SAM^LL GERRISH.

Legislative Records of the Council, xii., 224.

House Journal, p. 57.

AN ACCOMPT presented by Samuel Gerrish Book Seller of the Charge of Paper & Printing the Sermon of the Revd Mr Sewall preach'd on the Day of Election of Councellors. Amounting to the Sum of £16. 18. 6.

[Read, and]

Resolved that the Sum of Sixteen pounds eighteen Shillings & Six pence be Allowed & paid out of the Publick Treasury to Mr Samuel Gerrish in full Discharge of the Above Accompt. [*Passed June 20.*

CHAPTER 115.

RESOLVE ALLOWING £20. 4. 10 TO CAP^T JN^O GYLES.

Legislative Records of the Council, xii., 224.

House Journal, p. 59.

AN ACCOMPT presented by Capt John Gyles of Disburstments for Hawling Cord Wood & Stores, & for Brick Work &c for his Majesties Fort George at Brunswick, Amounting to the Sum of £20. 4. 10.

[Read, Accepted and]

Resolved that the Sum of Twenty pounds four Shillings & Ten pence be allowed & paid out of the publick Treasury to the Said Capt John Gyles in full Discharge of the Accompt on the other Side. [*Passed June 20.*

CHAPTER 116.

RESOLVE ALLOWING £7. 19. 10 TO SAM^L TYLEY.

An Accompt presented by Samuel Tyley of Writing done for the publick to June 18th 1724, Amounting to the Sum of £7. 19. 10.

[Read, and]

Resolved that the Sum of Seven pounds Nineteen Shillings & Ten pence be Allowed & paid out of the publick Treasury to ye Accomptant Saml Tyley in full Discharge of the within Accompt. [*Passed June 20.*

Legislative Records of the Council, xii., 224.

House Journal, p. 57.

CHAPTER 117.

RESOLVE ALLOWING £10 TO AMOS SMITH.

A Petition of Amos Smith, Shewing that being in his Majesties Service at Leicester under the Command of Capt John Flynt. he catch'd a Violent Cold wch fell into his Limbs with Extream pain, And that he is now so much Disabled by his Sickness that he is not capable of following his Labour for a Lively hood, And that his Captain Struck him out of his Muster Roll from the first of his Sickness, And therefore Praying the Compassionate Consideration of this Court, That his Wages togather with the Charges of Doctors & Nursing may be allow'd him,

Read [Accepted] &

Resolved that the Sum of Ten pounds be Allowed & paid out of the publick Treasury to the Said Amos Smith in Consideration of his Illness & Charges arising thereon as abovesaid. [*Passed June 20.*

Legislative Records of the Council, xii., 224.

House Journal, p. 54.

CHAPTER 118.

RESOLVE ALLOWING £11. 5 TO MAJ^R SHUBAL GORHAM.

An Accompt presented by Major Shubal Gorham of the Charge of Billiting Soldiers Impress'd in his Majesties Service Eastward January 3^d 1723, Amounting to the Sum of £11. 5.

[Read, and]

Resolved that the Sum of Eleven pounds five Shillings be Allowed & paid out of the Publick Treasury to Shubal Gorham Esqr in full Discharge of the within Accompt. [*Passed June 20.*

Legislative Records of the Council, xii., 224.

House Journal, p. 32.

CHAPTER 119.

RESOLVE ALLOWING £42. 6. 6 TO DR GEORGE PEMBERTON.

An Accompt presented by Dr George Pemberton of Medicines & Attendence on the Sick & Wounded of the Garrison at his Majesties Castle William from Nove^r 26th 1723, to April 10th 1724, Amounting to the Sum of £42. 6. 6.

[Read, Accepted And]

Legislative Records of the Council, xii., 224.

House Journal, p. 50.

Resolved that the Sum of forty two pounds Six Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Dr George Pemberton in full Discharge of the within Accompt. [*Passed June 20.*

CHAPTER 120.

RESOLVE ALLOWING 21/ 6 TO JNO SWETT.

Legislative Records of the Council, xii., 225.

House Journal, p. 55.

AN ACCOMPT of John Swett for ferriage of Capt John March & the Troop under his Command. Amounting to the Sum of £1. 1. 6.

[Read, and]

Resolved that the Sum of Twenty one Shillings & Six pence be Allowed & paid out of the publick Treasury to Richard Kent Esqr for the Use & Accompt of John Swett in full Discharge thereof. [*Passed June 20.*

CHAPTER 121.

RESOLVE ALLOWING £300 TO THE LIEUT GOVR.

Legislative Records of the Council, xii., 226.

House Journal, p. 58.

Resolved that the Sum of Three hundred pounds be Allowed & paid out of the publick Treasury to His Honour William Dummer Esqr Lieut. Governr & Commander in Chief of this His Majesties Province for his Support to Enable him to Manage the Affairs of the Governmt. [*Passed June 20.*

CHAPTER 122.

RESOLVE ALLOWING £500 TO YE JUDGES.

Legislative Records of the Council, xii., 226.

House Journal, p. 58.

Resolved that the Sum of five hundred pounds be Allowed & paid out of the publick Treasury to the Honblr the Justices of His Majesties Superiour Court of Judicature &c. in proportion to the Courts they Attended the Year Past. [*Passed June 20.*

CHAPTER 123.

RESOLVE ALLOWING £250 TO YE TREASR.

Legislative Records of the Council, xii., 226.

House Journal, p. 58.

Resolved that the Sum of two hundred & fifty Pounds be Allow'd & paid out of the Publick Treasury to Jeremiah Allen Esqr Treasurer of this Province for his Service the Year past in the Treasury &c. [*Passed June 20.*

CHAPTER 124.

RESOLVE ALLOWING £30 TO THE CLERK OF THE HOUSE.

Legislative Records of the Council, xii., 226.

House Journal, p. 58.

Resolved that the Sum of Thirty Pounds be Allowed & paid out of the Publick Treasury to John Wainwright Esqr Clerk of the House in Part for his Service the Year Currant. [*Passed June 20.*

CHAPTER 125.

RESOLVE ALLOWING £25 TO JN° FLAGG.

Resolved that the Sum of Twenty five Pounds be Allowed & Paid out of the Publick Treasury to John Flagg Door Keeper, To his Honour the Lieut. Govr & this Court for his Service half a Year, Which will Determine the 26th of June Current. [*Passed June 20.*

Legislative Records of the Council, xii., 226.

House Journal, p. 58.

CHAPTER 126.

RESOLVE ALLOWING PAYMENT ON CAP^T JN° GYLES MUSTER ROLL.

A Muster Roll of the Garrison of his Majesties Fort George at Brunswick Under the Command of Capt John Gyles, Containing an Accompt of Wages due to them for their Service from July 18th 1723, to July 10th 1724, Amounting to the Sum of £495. 1. 8.

Legislative Records of the Council, xii., 226. Mass. Archives, xci., 115.

Read and Accepted and

Resolved That the Sum of Twenty pounds part of the Wages due to the within named John Gyles be detained in the Treasury until he make it Appear to this Court that he hath fully paid James Harper. & James Stevenson what is justly due to them, and that the remaining Sum Viz^t Three hundred Eighty five pounds one shilling & Eight pence be allowed & paid out of the publick Treasury to the said John Gyles the other Officers & Soldiers born on the within Roll to whom the same is respectively due for their Service as within Mentioned. [*Passed June 20.*[1]

Mass. Archives, xci., 114. House Journal, p. 61.

CHAPTER 127.

RESOLVE ALLOWING PAYMENT ON SERG^T NATHAN KNIGHTS MUSTER ROLL.

A Muster Roll of the Soldiers in his Majesties Service at Scarborô under the Command of Serg^t Nathan Knight, Containing an Accompt of Wages due to them for their Services from Sep^t 14th 1723, to May 28th 1724, Amounting to the Sum of £154. 16. 1.

Legislative Records of the Council, xii., 226. Mass. Archives, xci., 108.

Read and accepted and

Resolved That the Sum of One hundred & Forty nine Pounds Thirteen Shillings & Seven Pence be Allowed & Paid out of the Publick Treasury to Mr Nathan Knight and the Souldiers Borne on the within Roll in full of Wages due for the Service within Mentioned. [*Passed June 20.*

Mass. Archives, xci., 106, 107. House Journal, p. 57.

[1] According to Mass. Archives, final action, which was in the Council, took place June 24. But the legislature adjourned on June 20, and did not meet again until in November. Perhaps the date given in the Archives is the date of the Governor's consent. The action taken by the House of Representatives is recorded as of June 20, when (that being the last day of the session) the resolve must have been sent up for concurrence.

CHAPTER 128.

RESOLVE ALLOWING PAYMENT ON CAPT ARTHUR BRAGDONS MUSTER ROLL.

Legislative Records of the Council, xii., 227. Mass. Archives, xci., 97.

A MUSTER ROLL of the Company in his Majesties Service under the Command of Capt Arthur Bragdon, Containing an Accompt of Wages due to them for their Service from ye 18th of October to the 3d of Jany 1723, Amounting to the Sum of £191. 11. 1.

Mass. Archives, xci., 96. House Journal, p. 60.

Read and accepted and

Resolved That the sum of One hundred & Ninety pounds, Six shillings & one penny be allowed and paid out of the publick Treasury to Capt Arthur Bragdon the other Officers & Soldiers born on the within Roll agreable to the above Report in full discharge of said Roll & disbursment of the said Bragdon. [*Passed June 20.*

CHAPTER 129.

VOTE ON COMTTEE REPORT ABOUT YE DEMANDS OF THE MAQUAS AT FORT DUMMER.

Legislative Records of the Council, xii., 227.

IN OBEDIENCE to an Order of the fifteenth & Sixteenth Instant Referring to the Demands of the Maquas in the Service of this Governmt The Committee are Humbly of Opinion Pursuant to the Promise of Coll: Schuyler, That two Shillings per day be Allowed to Henrick And Umpawmet, as they are Sachems, & the first of that Rank, that have enter'd into the Service of this Province, That none of ye Indians be Stinted as to Allowance of Provisions, That they all have the use of their Arms Gratis & their guns mended on free Cost, That a Supply of Knives, Pipes, Tobacco, Lead, Shot & flints be Sent to the Commanding Officer at the Fort, to be given out to them According to his Discreation, That four Barrells of rum be Sent to Capt Jona Wells at Deerfield to be lodged in his Hands & to be Deliver'd to the Commanding Officer at the Block House as he Sees Occasion to Send for it, that So he may be enabled to give out one Gill a Day to each Indian as[1] Some to his other Men, as Occasion may Require

Legislative Records of the Council, xii., 172, 181, 204. House Journal, pp. 43, 60.

That as to What the Officer may have engaged or paid Already for Mending their Guns or tools, or for Bullets, that it be Charged to the province That five good Guns be bought as Cheap as may be & Sent to the Officer, to be Deliver'd to them in Part of their wages; that his Honour the Lieut. Govr be Desired to Issue out a Proclamation forbidding the Inhabitants of the western frontiers to Trade with them for their Arms Ammunition, Clothing or Provision

That the Treasurer be Directed as Soon as may be to purchase the Above Particulars, & Ship them on Board the first Sloop bound for Hartford to be Deliver'd to Nathl Stanley Esqr To be forwarded by John Ashley Esqr to Deerfield

June 18th 1724 In the Name of the Committee

WM TAILER

Read & Accepted &

Voted that Mr Treasurer be Directed to Send the Supplys within Mention'd accordingly. [*Passed June 20.*

[1] *Quære*, as well as?

CHAPTER 130.

ORDER ON CAPT SAML HINKS MEMO IN REGARD TO NEEDS AT FORT MARY.

A Memorial of Capt Samll Hinks Shewing that one Matthew Robinson a Soldier of the garrison at Fort Mary was taken Sick, & the Memorialist not being furnish'd with Medicines & Necessarys Sent the Said Soldier to Dr Jackson at Kittery, who took Care of him till his Death, For which he has Charged the Sum of five pounds Ten Shillings, Praying that the Said Sum may be allowed the Memorialist that So he may be enabled to pay the Said Dr Jackson, & that a Box of Medicines & a Flag may be Allow'd the Said Garrison

Read &

Ordered that the Treasurer be Directed to Supply fort Mary at winter Harbour with a Suitable flag & a Doctors Box to ye Value of about fifty Shillings, And that Capt Hinks may have Liberty to appoint a Corporal (Inclusive of the twelve Men) as he may have Occasion. [*Passed June 20.*

Legislative Records of the Council, xii., 228.

House Journal, p. 55.

CHAPTER 131.

RESOLVE ALLOWING £15 TO JNO GREEN.

Resolved that the Sum of fifteen pounds be Allowed & Paid out of the publick Treasury to John Green late a Soldier wounded in the Service of this Province for his Support & Maintanence for the Year 1724, He being under the Command of Capt Joseph Heath. [*Passed June 20.*

Legislative Records of the Council, xii., 228.

House Journal, p. 61.

CHAPTER 132.

ORDER ON PETITION OF THOS SMITH ABIAL WALLEY &c FOR A NEW TRIAL.

A Petition of Thos Smith. Abial Walley & others Shewing. That they brought their Action of the Case against James Lindel of Salem, As Administrator to the Estate of Jonathan Corwin Esqr Decd That upon the review the Jury found for the petitioners the Sum of one hundred fifty Seven pounds thirteen Shillings only (being So Much due from the Estate of their Grandfather Mr George Corwin Decd) that the Jury in their Said Verdict made a Mistake of £130. 1. 3 to the Loss of the petitioners in Casting up the Intrest, as Several of the Jury afterwards Acknowledged & as the Petitioners can Make Appear, And therefore Praying that they may be enabled by this Court to have an Other Trial at the Next Superiour Court

Read &

Ordered that the petitioners Serve Mr James Lindal with a Copy of this Petition, And that he give in his Answer thereto (If he See Cause) on the first Tuesday of the Next Session. [*Passed June 20.*

Legislative Records of the Council, xii., 228.

House Journal, p. 59.

CHAPTER 133.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAP^{T} TIM^{O} DWIGHTS COMP^{Y}.

Legislative Records of the Council, xii., 229. Mass. Archives, xci., 110, 111.

Mass. Archives, xci., 109, 110. House Journal, pp. 56, 57.

A MUSTER ROLL of the Company in his Majesties Service under the Command of Capt Timothy Dwight Posted at the Block House above Northfield Containing an Accompt of Wages due to them for their Service & Subsistence from Feby 7th 1723, to May 31st 1724, Amounting to the Sum of £438. 3. 2.

Read and Accepted, And

Resolved that the Sum of £293. 14. 8^{d} together with the Sum of £144. 8. & 6^{d} making in the whole the Sum of Four hundred and thirty Eight pounds, three shillings, & two pence be allowed and paid out of the publick Treasury to the within named Capt Timothy Dwight to be by him repaid to the officers & Souldiers born on the within Roll in full of the Wages, & to the person or persons that have Advanced or Supplyed the Men with any Subsistence (first deducting what Mr Treasurer has advanc'd or paid for subsistence) in full discharge of the Wages & Subsistence thereof. [*Passed June 20.*

CHAPTER 134.

ORDER ON INDENT OF STORES FOR FORT GEORGE.

Legislative Records of the Council, xii., 229.

House Journal, p. 59.

AN INDENT of Sundry Stores & Necessarys wanting at his Majesties Fort George at Brunswick presented by Capt John Gyles.

Read [Accepted] &

Ordered that the Treasurer be Directed to Supply Fort George with So Many of the Above Articles as he may Judge proper & Necessary. [*Passed June 20.*

CHAPTER 135.

ORDER ON ISAAC LEARNEDS PETITION FOR PURCHASE OF PUBLIC LANDS.

Legislative Records of the Council, xii., 229.

House Journal, p. 23.

A PETITION of Isaac Larnard of Oxford. Setting forth that there is a Peice of Province Land of the Quantity of Three hundred Acres or thereabouts Adjoining to the petitioners Land & lying Convenient for him, And praying that a Committee may be appointed to Dispose of the Same to the petitioner for the Value thereof. According to the Judgement of Men that know it,

In the House of Represent^{s} Read &

Ordered that Mr Speaker & Mr Whittamore with Such as the Honb^{le} Board Shall Appoint be a Committee in the Name of this Governm^{t} to Make Sale of the Lands Mention'd in this Petition for the Use of the province to the Highest Bidder or Bidders by Cant or Auction on the Second Wednesday of September next, at the New Dwelling House of William Pattin Taverner in Boston Publick Notice to be given of the Sale by the Comm^{tte} Committee[1] twenty Days before the Time of Sale,

[1] *Sic.*

Lawfull Conveyance or Conveyances of the Premisses to be given Accordingly

In Council; Read & Concur'd; & John Clark Esqr is Join'd in the Affair Above. [*Passed June 20.*

CHAPTER 136.

RESOLVE ON PETITION OF THE EAST PRECINCT IN ENFIELD.

A Petition of the Inhabitants of the East Precinct in Enfield Praying that they may be Impowered to Raise onehalf or one third part of the Charge in Settling & Maintaining a Minister & Building a Meeting House in the Said Precinct by a Tax on the Unimproved Lands within the Said Precinct,

Legislative Records of the Council, xii., 230.

House Journal, p. 48.

Read Togather with the Answer of the Town of Enfield to this petition. and

Resolved that the prayer of the petition be So far Granted. as that the East Precinct in the Town of Enfield be Impowered for the Space of three Years next Coming to raise one quarter part of the Charges of Said Precinct on Unimproved Lands within the Same, And the Non Resident Proprietors to be Notified & Admitted to be present and Vote at the Said Precinct Meeting when any Sum Shall be granted for the raising Money to Defray the Charges that may Arise within the Same for the Aforesaid Term. [*Passed June 20.*

CHAPTER 137.

RESOLVE ALLOWING £193. 1. 9 TO CAP^T JOS: HEATH.

An Accompt presented by Capt Joseph Heath of Repairing & Enlarging ye Fort at Richmond Amounting to the Sum of £193. 1. 9.

Legislative Records of the Council, xii., 220.

[Read and]

Resolved that the Sum of one hundred Ninety three pounds one Shilling & Nine pence be allowed & paid out of the publick Treasury to Capt Joseph Heath in full Discharge of the foregoing Accompt. [*Passed June 20.*

House Journal, p. 57.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE ELEVENTH DAY OF NOVEMBER, A.D. 1724.

CHAPTER 138.

RESOLVE ALLOWING 25/ FOR JN° FRENCH.

Legislative Records of the Council, xii., 235.

House Journal, p. 3.

AN ACCOMPT of John French of Billiting Soldiers in their March from Bristol to Boston Certified by Capt John Penhallow, Amounting to £1. 5.

[Read, and]

Resolved that the Sum of twenty five Shillings be Allowed & paid out of the publick Treasury to Mr Nathl Carpenter to be by him paid to the said John French in full Discharge of the Said Accompt. [*Passed November 12.*

CHAPTER 139.

RESOLVE ALLOWING £8. 11. 7 TO COLL NATH' BYFIELD.

Legislative Records of the Council, xii., 235.

House Journal, p. 3.

AN ACCOMPT presented by Nathl Byfield Esqr of his Time & Expence in a Late Journey to Providence, on a Message to the General Assembly of Rhode Island Amounting to the Sum of £8. 11. 7.

[Read, and]

Resolved that the Sum of eight Pounds eleven Shillings & Seven pence be Allowed & Paid out of the publick Treasury to Nathl Byfield Esqr in full Discharge of the Said Accompt. [*Passed November 12.*

CHAPTER 140.

RESOLVE ALLOWING 45/ TO NATHAN SIMMONDS FOR PILOTAGE &c.

Legislative Records of the Council, xii., 236.

House Journal, p. 4.

Resolved that the Sum of forty five Shillings be Allowed & paid out of the publick Treasury to Mr John Saunders to be by him repaid to Nathan Simmonds of Haverhill in full for the Said Simmonds's Service for himself & Horse, as he was Pilot to the Company of Troopers in his Maj^s Service under the Command of Major Matthew Whipple, The Same being omitted by the Said Whipple in his Muster Roll. [*Passed November 13.*

CHAPTER 141.

RESOLVE ALLOWING £10 TO WILLIAM JEFFRY.

A PETITION of William Jeffry of Harwich Indian, Shewing that being in the publick Service a Soldier under the Command of Capt Josiah Winslow on the first of May Last (the Time when the Said Capt Winslow was kill'd) at St Georges River, he received a Shot in his Left hand Which broke the bone of his Wrist, by Which Means he is Uncapable at present of doing any thing with that Hand, & is likely to Continue lame for Some Considerable Time, And therefore Praying Some Allowance from this Court for the Support of himself & family

Legislative Records of the Council, xii., 236.

House Journal, p. 5.

In the House of Represents Read & In Answer to this Petition

Resolved that the Sum of Ten pounds be Allowed & paid out of ye Publick Treasury to the petitioner William Jeffry or his order in Consideration of the wound Received in the Service of the province as within Mention'd

In Council. Read & Concurd, The Money to be put into the Hands of Mr John Mayo of Harwich to be given out by him for the Necessary Supply of the Said William Jeffry.

In the House of Represents Read & Concurd. [*Passed November 13.*

CHAPTER 142.

RESOLVE ALLOWING £100 TO NOAH ASHLEY FOR AN INDIAN SCALP.

A PETITION of Noah Ashley of Westfield praying an Allowance from this Court for an Indian Scalp by him Offer'd He having Killed the Said Indian the twenty Seventh of August last at a place called Pochesset at Westfield aforesaid & Afterwards found the Dead Body buried.

Legislative Records of the Council, xii., 237.

House Journal, p. 6.

[Read and]

It appearing to this Court by the Oaths of Isaac Styles & Daniel Kellog, That Mr Noah Ashley of Westfield on the twenty Seventh of August last at a place Called Pochesset did Courageously & bravely withstand a Party of Indians, Who from an Ambush made a Shot on the Said Ashley & Other English Men & wounded one man, the sd Ashley turn'd About and made a Shot on an Indian, Which without Doubt he Slew, The Said Ashley and Others having the Next day found the body of an Indian nigh the place Where he Shot the Day before, and produced his Scalp;

Resolved that in Consideration of the good Service done this Province thereby, the Sum of one hundred Pounds be allowed & paid out of the publick Treasury to Mr Noah Ashley. [*Passed November 14.*

CHAPTER 143.

RESOLVE FOR THE DISCHARGE OF TREASRS ACCO OF DISBURSTMENTS &c.

AN ACCOMPT presented by Mr Treasurer Allen of his Disburstments for Clothing Provision & Other Necessarys for the forces in his Majesties Service in the Eastern & Western frontiers & Other Incidental Charges from May 27th 1724, To the 11th of November following, Amounting to the Sum of £5,924. 9. 7.

Legislative Records of the Council, xii., 238.

House Journal, p. 6.

[Read, Accepted and]

Resolved that Mr Treasurer Allen be Discharged of the Said Sum of Five thousand nine hundred & twenty four pounds Nine Shillings & Seven pence. [*Passed November 16.*

CHAPTER 144.

RESOLVE ALLOWING £17. 4. 4 TO CAPT HENRY FAREWELL & OTHERS.

Legislative Records of the Council, xii., 238.

House Journal, p. 6.

A PETITION of Henry Farewell & others the Relations of Lieut French Daniel Baldwin, John Burbeen, Benja Carter, Oliver Farewell, Thos Lynn, Ebenezer Cummins, & John Johnson, who were killed in fight with the Indian Enemy at Dunstable in September Last, Shewing that the Sum of Seventeen pounds four Shillings & four pence was by them Expended in the funeral of the Above Named persons And therefore praying they may be Reimbursed the Abovesaid Sum out of the publick Treasury to Discharge the Accompt of the Sd Disburstments hereunto Annexed

[Read, and]

Resolved that the Sum of Seventeen pounds four Shillings & four pence be Allowed & paid out of the publick Treasury to Capt Henry Farewell to be by him paid to the person or persons, to Whom the Same is due in full Discharge of the within Accompt. [*Passed November 17.*

CHAPTER 145.

RESOLVE ALLOWING 17/ 9 TO JOS: SEXTON.

Legislative Records of the Council, xii., 239.

House Journal, p. 11.

AN ACCOMPT of Joseph Sexton of the Subsistence of Soldiers under the Command of Capt Buttler of Connecticut Amounting to 17/ 9.

[Read, and]

Resolved that the Sum of Seventeen Shillings & Nine pence be Allowed & paid out of the publick Treasury to Capt Samll Terry, for ye Use of the Accomptant Jos: Sexton, in full Discharge hereof. [*Passed November 17.*

CHAPTER 146.

RESOLVE ALLOWING £4. 15. 2 TO COLL THOS HOW.

Legislative Records of the Council, xii., 239.

House Journal, p. 11.

AN ACCOMPT presented by Lieut. Coll. Thomas How of Expences for Several Expresses Sent in the publick Service togather with the Entertainment of a Guard with Stores for Rutland Amounting to the Sum of £4. 15. 2.

[Read and]

Resolved that the Sum of four pounds fifteen Shillings & two Pence be Allowed & paid out of the publick Treasy to Lt Coll Thomas How in full Discharge of the Accompt hereunto Annex'd. [*Passed November 17.*

CHAPTER 147.

RESOLVE ALLOWING £19. 10 TO COLL WM TAILER.

AN ACCOMPT Presented by William Tailer Esqr of Time & Expences of the Committee of both Houses appointed to view the Indian Lands at Hassanimscoe &c Amounting to the Sum of £19. 10.

[Read, and]

Resolved that the Sum of Nineteen pounds Ten Shillings be Allowed & paid out of the publick Treasury to the Honoble William Tailer Esqr in full Discharge of the Said Accompt. [*Passed November 17.*

Legislative Records of the Council, xii., 240.

House Journal, p. 6. *Ante*, p. 442, chap. 30.

CHAPTER 148.

RESOLVE FOR BUYING GUN POWDER.

Resolved that Mr Treasurer Allen be Directed to Purchase twenty four Barrills of the best Gun Powder that Can be bought in the Powder House at the Cheapest Rate for the Use of the Province. [*Passed November 17.*

Legislative Records of the Council, xii., 240.

House Journal, p. 11.

CHAPTER 149.

RESOLVE ALLOWING 36/ TO AND: LANE.

AN ACCOMPT of Andrew Lane of Copying eighteen Muster Rolls of the forces on the Late Canada Expedition, Amounting to 36/.

[Read, and]

Resolved that the Sum of thirty Six Shillings be Allowed & Paid out of the publick Treasury to the Accomptant Andrew Lane in full Discharge of the within Accompt. [*Passed November 17.*

Legislative Records of the Council, xii., 240.

House Journal, p. 11.

CHAPTER 150.

VOTE FOR ANNEXING SHEWAMET TO SWANZEY AND APPOINTING A COMMITTEE FOR SHEWAMET MINISTERIAL LAND.

IN YE HOUSE OF REPRESENTS Whereas it Appears to this Court That the Town of Swanzey are Willing & Desireous That the Inhabitants of Shewamet Should be Annex'd to that Town to all Intents & purposes forever, & Whereas there is a Valuable Tract of Land formerly Granted by the Proprietors of Shewamet for the Use of the Ministry there

It is

Voted & *Ordered* that the Inhabitants of the Tract of Land called & Known by the Name of Shewamet togather with all the Lands circumscribed within the Bounds thereof be & hereby are Annex'd to & Shall be Accounted as part of the Town of Swanzey & have, & Exercise & Enjoy equal Privileges with the Other Inhabitants of the Said Town until this Court shall take further Order About them; And that Nathaniel Payne

Legislative Records of the Council, xii., 241.

House Journal, p. 9. *Ante*, p. 455, chap. 64.

& Nathaniel Blagrove Esq^rs with Such as the Honble^e Board Shall Appoint be a Committee fully Impowered to take Effectual Care that the Lands Granted in (& by the Proprietors of) Shewamet to And for the Use of the Ministry togather with the Incomes or Money, that have Already arisen or Shall Arise by the Improvement thereof, be Disposed & laid out According to the true Intent of the Original Grant of the S^d Lands

In Council; Read & Concur'd, & Capt William Throop is joined with the Committee appointed by the House in the Affair Above. [*Passed November 17.*

CHAPTER 151.

VOTE FOR ENCOURAGM^T OF JOHN LOVEL & OTHER VOLUNTIERS.

Legislative Records of the Council, xii., 241. Mass. Archives, lxxii., 199.

A PETITION of John Lovewell, Josiah Farewell & Jonathan Robbins all of Dunstable Praying Encouragement for themselves & a Number of Others that are Desierous of Going out in Quest of the Indians.

Read & IN Answer to this Petition

Legislative Records of the Council, xii., 390. House Journal, p. 48 (1725). Province Laws, ii., 258, chap. 9. *Post*, p. 587, chap. 24.

Voted That His Honour the Liev^t Govr be desired to Commissionate proper and Suitable Officers For this Service, (The Number of Men not to exceed Fifty) and that they keep exact Journals or Accounts of the time they are out in the Woods, and where they go, as well the Time they may be at home, or in any Towns fitting to go out again, and that they be allowed two shillings and Six pence ℘ diem each, the time they were actually out in the Service, and the time fitting out as aforesaid, they Subsisting themselves, provided That the Time of their being out in this Service shall be until the Session of this Court in May next, and for their further Encouragement they shall be Entitled over and above the two shillings and Six pence ℘ diem the Sum of One hundred pounds for each Male Scalp, and the other premiums established by Law to Voluntiers without pay or Subsistence, And that the Commission Officers have the Loan of a Sufficient Number of Arms for the Use of the Maquois & other Indians who may be willing to Enter & Engage with them in the Service, the Officers to be Accountable for the Arms they recieve.[1] [*Passed* November 17.*

CHAPTER 152.

VOTE ALLOWING CAPTAIN'S PAY TO CAP^T JOS: HEATH WHILE IN COMMAND OF THE FORT AT RICHMOND.

Legislative Records of the Council, xii., 243. Mass. Archives, lxxii., 203.

A PETITION of Capt Joseph Heath, Shewing That besides the Standing Garrison at Richmond Fort, He has Had the Care of the Mowhawks & a Party of English appointed to Scout with them, That he has had the Command of an other Scout of twenty Men, & has attended a March to Norridgewock, & had the Charge of the publick Stores lodged at Richmond, And therefore praying that he May be Allowed Captains Pay So Long as he Shall be Continued in the Command of the Fort, at Richmond & in the Business of Delivering out the Stores to the Marching forces that are Victuall'd there as Aforesaid.

House Journal, p. 12.

Read and the Question was put, Whether the Prayer of the Memorial shallbe granted?

Resolved in the Affirmative. [*Passed November 18.*

[1] Not found in the House Journal.

CHAPTER 153.

RESOLVE ALLOWING £45. 10 TO COLL JN° STODDARD.

Resolved that In Consideration of Coll. Jn° Stoddards being Detain'd Ninety five days in the Service of the Government and of his good Services done the province therein,[1] for Which he has yet received Nothing that the Sum of forty five pounds ten Shillings be Allowed & paid out of the publick Treasury to the Said Coll° John Stoddard, in full for his Time as aforesaid. [*Passed November 18.*

Legislative Records of the Council, xii., 244.

Mass. Archives, lii., 87. House Journal, p. 12.

CHAPTER 154.

RESOLVE ALLOWING £33. 10 TO CAPT EBENE^R POMROY.

AN ACCOMPT presented by Ebenezer Pomroy Esqr of his Service in two Journeys to Albany in July & September last Sixty Seven days, by order of the Government Amounting to the Sum of £33. 10.

Read &

Resolved that the Sum of Thirty three pounds ten Shillings be Allowed & paid out of the publick Treasury to Capt Ebenezer Pomroy in full Discharge of the Said Accompt. [*Passed November 19.*

Legislative Records of the Council, xii., 244.

House Journal, p. 12.

CHAPTER 155.

ORDER FOR DIVIDING THE TOWN OF SHERBURN.

ADAM WINTHROP ESQ^R from the Committee of Both Houses made ye following Report on the petition of the Inhabitants of the Westerly part of the Town of Sherburn, Praying to be made a Separate Township, viz;

IN Obedience to the within Order the Committee having repaired to Sherburn, taken a view of the Westerly part of Said Town, Considered the Scituation of that Town, & heard the Pleas of both Parties upon the petition, Do humbly Offer to the Honb^le Court their Report as follows; viz

That the Westerly Part of the Said Town be Set off a Distinct and Separate Precinct & Vested with the powers & Privileges which other Precincts enjoy, The Dividing Line to Run from Coll° Buckminsters Southern Corner at Lieut Sawens Pine Swamp & from thence on a Straight Line to Dopping Brook, And then that Brook to be ye Bounds till it Come to Bogge Stow Brook, Then Boggestow Brook to be Bounds until it Come to Medway Line, That Part of Sheffields farm, which lies on the East Side of Boggestow Brook, & that Part of Edmund Morses Possessions lying on the East Side of Dopping Brook to be Annex'd unto & belong to Said Western precinct, That the Inhabitants of the Said Western Part or Precinct be Obliged within eighteen Months to Erect & finish at their own Charge a Suitable House for the Publick Worship of God, in the Most Convenient Place to Accomodate the Inhabitants & Settlements within the Said Precinct, And that they provide as Soon as may be a Learned Orthodox Minister to Preach the Gospel to them, That they be Allowed to Assess the Lands of Non

Legislative Records of the Council, xii., 245.

House Journal, p. 9. Province Laws, ii., 340, chap. 12. *Ante*, p. 435, chap. 8; p. 457, chap. 67.

[1] In the defences on the western frontiers.

Residents within the Said Precinct one peny per Acre towards the Charge of Building the Said Meeting House & Settling a Minister there, That they be free'd from paying any Part of one hundred & Sixty pounds lately Raised by the Said Town & Assessed towards the Charge of Building a New Meeting House in the Eastl^y Precinct of the Said Town, & from all other Charge towards the Said Meeting House or any other Meeting House in the East^n precinct for the future, That the Inhabitants of the Western precinct Continue to pay their proportion towards the Maintanance of the Present Minister of the Town until they obtain a Minister of their own & No Longer, That the Inhabitants of the Said Western precinct procure & Maintain a School Master to Instruct their Youth in Writing & Reading, & So doing be Exempted from all Charge towards the Schools in the Western Precinct All Which is humbly Submitted: In Behalf of the Committee

Sherburn Sep^t 16th 1724, ADAM WINTHROP

Read &

Ordered that the Report hereto Annexed be Accepted in the Several Articles thereof, Saving that the Western Part of Sherburn as is herein bounded & Described be Sett off & Constituted a Town & not a Precinct, And that a Bill be brought in to erect the Said Lands into a Township Accordingly; And it is further

Ordered that the Inhabitants of the Said Western part of Sherburn pay the Charge of the Committee, Amounting to ten pounds Six Shillings. [*Passed November 20.*

CHAPTER 156.

RESOLVE ALLOWING £15 TO JACOB AMES.

Legislative Records of the Council, xii., 246.

House Journal, p. 16. Province Laws, ii., 258, chap. 9.

A PETITION of Jacob Ames, Shewing that Some time ye Last Summer a Party of Indians appeared at Groton & Killed his father near his garrison Gate, & then Violently broke into the garrison, which the petitioner alone Defended driving the Indians out & Killing one of them, Whose Scalp he has pro'duced, And Praying this Court to Make him Some Suitable Allowance for this Service

Read & IN Answer to this Petition

Resolved that over & Above the fifteen pounds due to the petitioner by Law for Recovering the Said Scalp, And the good Service done this province, thereby, The Sum of fifteen Pounds be Allowed & paid out of the publick Treasury to the Said Jacob Ames for his good Services as Aforesaid. [*Passed November 20.*

CHAPTER 157.

RESOLVE ALLOWING £12. 16. 3 TO COLL JN^o STODDARD.

Legislative Records of the Council, xii., 247.

House Journal, p. 13. *Infra*, chap. 158.

AN ACCOMPT presented by Coll John Stoddard of Sundry Expences in his Journey to New Haven, & of the Commissioners in their Journey to Albany & Home, & of the Said Stoddards Journey to Boston in the Service of the Government & Other Charges for the publick, He Having Received £30 out of the Treasury Ballance Remains £12. 16. 3.

[Read, Accepted and]

Resolved that the Sum of Twelve pounds Sixteen Shillings & three pence be Allowed & paid out of the publick Treasury to Capt Ebenezer Pomroy or Capt Thomas Wells for the Use of Coll. Jno Stoddard in full Discharge of the Said Accompt. [*Passed November 20.*

CHAPTER 158.

RESOLVE ALLOWING £130. 1. 7½ TO COLL^O JN^O STODDARD.

Two ACCOMPTS presented by Coll. John Stoddard. one for Subsisting Connecticut Soldiers under Coll. Goodrick at Northampton, Amounting to the Sum of £77. 11. 2½ And the other the Charge of Guards for the Commiss^rs in their Several Journeys to Albany & Posts & Expresses. Sent in the publick Service Amounting to ye Sum of £63. 11. 6.

Legislative Records of the Council, xii., 247.

House Journal, p. 13.

Supra, chap. 157.

[Read, Accepted and]

Resolved that the Sum of one hundred & thirty pounds one Shilling & Seven pence half peny be Allowed & paid out of the the[1] Publick Treasury to Capt Ebenezer Pomroy (or in his Absence to Capt Thomas Wells) to be by him Repaid to Coll^o Jno Stoddard to Discharge the within Accompt. [*Passed November 20.*

CHAPTER 159.

RESOLVE ALLOWING £12 FOR JOS: BALDWIN.

A PETITION of Joseph Baldwin Praying an Allowance for an Horse of His killed by the Indians at Dunstable, he having lent the Said Horse to his Brother a Soldier in the Service, who was Killed at the Same Time as he was Engaged with the Indians.

Legislative Records of the Council, xii., 248.

House Journal, p. 11.

Read &

Resolved that the Sum of Twelve pounds be allowed & paid out of the publick Treas^y to Mr Danl peirce to be by him Repaid to the Memorialist Joseph Baldwin in full Satisfaction for the Loss of his Horse as within Mentioned. [*Passed November 20.*

CHAPTER 160.

RESOLVE ALLOWING £3 TO JN^O AUSTIN.

A PETITION of John Austin Junr of Norton, Shewing that he Served as a Soldier in Capt Edmund Wards Company, And that in the Muster Roll of Said Company made up by Lieut. Benj^a Larrabee, His Wages were Omitted from the first of September to the Seventh of October 1723, at Which Time he received his Dismission as may appear by a Certificate thereof under the Hand of the Said Lieutenant Larrabee, And therefore praying that the Said Wages due to him as aforesaid may be Allowed him.

Legislative Records of the Council, xii., 248.

House Journal, p. 13.

Read & IN Answer to this Petition

[1] *Sic.*

Resolved that the Sum of three pounds be Allowed & paid out of the publick Treasury to the petitioner Jn° Austin Junr in full for ye Within Mention'd Service. [*Passed November 20.*

CHAPTER 161.

RESOLVE ALLOWING TO MARY SIGOURNEY THE WAGES OF HER HUSBAND HELD IN CAPTIVITY.

Legislative Records of the Council, xii., 249.

House Journal, p. 18.

A PETITION of Mary Sigourney Shewing that her husband Samuel Sigourney being a Soldier in the Service Eastward under the Command of Capt Oliver, he was Taken by the Indian Enemy, & by them Sold to the french in Canada for two Years. Praying therefore that the petitioner may be Allowed her husbands Wages due on the Muster Roll, for the Support of her Self, And that he may be Continued in the pay of this Governmt until Some way be found out for his Redemption

Read &

Resolved that the petitioner have have[1] Liberty to receive what wages was due to her Husband at the Time when he was Captivated by the Indians, And that the Treasurer be Directed & Impowered to pay the Same Accordingly. [*Passed November 21.*

CHAPTER 162.

RESOLVE ALLOWING 50/ TO ELIZABETH DRUCE.

Legislative Records of the Council, xii., 250.

House Journal, p. 17.

Ante, p. 468, chap. 100.

A PETITION of Mr Benjamin Whittamore in Behalf of Elizabeth Druce Widdow of John Druce late a Soldier in the Canada Expedition in the Company of Capt William Deacon, Who had his Arms taken from him as others in the Said Company, pray that She may be enabled to receive out of the publick Treasury the fifty Shillings Allowed to Soldiers for their Arms.

Read & IN Answer to this Petition

Resolved that Mr Treasurer be Directed to pay out of the publick Treasury to the petitioner Elisabeth Druce or her order the Sum of fifty Shillings for So much Due to her late Husband as aforesaid, Any order of this Court to the Contrary Notwithstanding. [*Passed November 21.*

CHAPTER 163.

RESOLVE ALLOWING 11/ 8 TO TIM° NASH.

Legislative Records of the Council, xii., 250.

House Journal, p. 18.

AN ACOMPT of Timothy Nash of Springfield for Entertainment given to Indian Soldiers, Amounting to Eleven Shillings & eight pence

[Read, and]

Resolved that the Sum of eleven Shillings & eight pence be allowed & paid out of the publick Treasury to Mr John Nash for the Use of the Accomptant in full. [*Passed November 21.*

[1] *Sic.*

CHAPTER 164.

VOTE ON SNELL FOBES & HOWARDS PETITION FOR PURCHASING PUBLIC LANDS.

A PETITION of Joseph Snell, Ephraim Fobes, Daniel & Robert Howard, Setting forth That they have fenced in and Improved a Parcel of Land lying on the North Side of Bridgewater Line, which the Court Lay Claim to, as Belonging to this Province, & the Petitioners Supposed to be included in their own Purchases when they enclosed & improved the Same, & Praying that they may be Allowed to purchase the Said Lands & other Land adjoining for a Valuable Consideration.

Legislative Records of the Council, xii., 250.

House Journal, p. 18. *Ante*, p. 167, chap. 25.

In the House of Represent^s Read & IN Answer to this Petition

Voted that John Quincy & Robert Spurr Esq^rs with Such as the Honb^le Board Shall appoint be a Committee to Make Sale of the Lands within Mentioned And And[1] Described for the Most it will fetch, Giving Preferrence to the Petitioners, And In their Valuation of the Same, the Improvements made by the petitioners thereon are not to be Reckoned as Part, The Money to be Return'd into the publick Treasury,

In Council, Read & Concur'd, and Paul Dudley & Samuel Thaxter Esq^rs are Added to the Committee of the House on the Affair Aforesaid. [*Passed November 23.*

CHAPTER 165.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP SEA-FLOWER SIMON SLOCUM MASTER.

A MUSTER ROLL of the Sloop Sea flower (a Transport in the Service of the Province) Simon Slocum Master, Containing an Accompt of Wages due to the Said Master & Company for their Service togather with the Hire of the Said Sloop from the 21th of August to the 19th of Novem^r 1724, Amounting to the Sum of £113. 15.

Legislative Records of the Council, xii., 251.

House Journal, p. 19.

[Read, Accepted and]

Resolved that the Sum of one hundred & thirteen pounds fifteen Shillings be Allowed & paid out of the publick Treasury to the Said Simon Slocum to be by him repaid to the person to Whom the Same is Respectively Due in full Discharge of the wages & Sloop Hire of the Said Sloop as within Mentioned. [*Passed November 23.*

CHAPTER 166.

ORDER ON TIM^O SPRAGUES PETITION GRANTING AN APPEAL.

A PETITION of Timothy Sprague of Malden, Shewing that he being enabled by an order of this Court to file Reasons of Appeal from a Judgement of Mr Justice Flagg. The Court of General Sessions of the peace Saw Meet to quash his Said Reasons for Some Defects (occasioned by the Errors of the Said Court in the former Proceeding) And therefore Praying that he may be enabled to file his Reasons Anew, And that in Case the Said Justice Flaggs Judgement Should be Reversed that he may be Allowed the Costs hitherto Sustained by him

Legislative Records of the Council, xii., 249.

House Journal, pp. 24, 25. *Ante*, p. 456, chap. 65.

[1] *Sic.*

Read &

Ordered that the Petitioner be enabled to have a Tryal of the Appeal Mentioned in the Petition at the Court of General Sessions of the peace for ye County of Middlesex to be held at Charlestown in December Next, He filing his Reasons of Appeal According to Law, & Giving Seasonable Notice to the Complainants, And that the Justices of the Said Court be & hereby are Impowered & Directed to Hear & Determine the Same, And in Case Justice Flaggs Sentence be Reversed, The Money Levied by Execution be Restored to the petitioner, The Quashing the Reasons of Appeal or any Law, Usage or Custom to the Contrary Notwithstanding, & the former Proceedings in the Said Cause are Declared Null & Void, The Petitioner to bear the Charges of the Last Court. [*Passed November 24.*

CHAPTER 167.

RESOLVE ALLOWING £20. 13. 5 TO D^R THO^S HASTINGS.

Legislative Records of the Council, xii., 252.

House Journal, p. 21.

AN ACCOMPT presented by Dr Thos Hastings of Medicines Attendence, Nursing & Diet of Divers Sick & Wounded Soldiers in the County of Hampshire, Amounting to the Sum of £20. 13. 5.

[Read, and]

Resolved that the Sum of Twenty pounds thirteen Shillings & five pence be Allowed & paid out of the publick Treasury to Dr Thos Hastings in full Discharge of the Said Accompt. [*Passed November 24.*

CHAPTER 168.

RESOLVE ALLOWING £118 TO DR ALEX: BULMAN.

Legislative Records of the Council, xii., 253.

House Journal, p. 21.

AN ACCOMPT Presented by Dr Alexander Bulman of Wages due to him for his Service as Surgeon of the Forces Eastward under the Command of Coll^o Thos Westbrook from the third of Octo^r 1723, to the 18th of Novem^r 1724, Amounting to the Sum of £118.

[Read, and]

Resolved that the Sum of one hundred And eighteen Pounds be Allowed & paid out of the publick Treasury to Dr Alexander Bulman, in full Discharge of the within Accompt. [*Passed November 24.*

CHAPTER 169.

RESOLVE ALLOWING PAYMENT ON CAP^T JOS: MAJORYS MUSTER ROLL OF SLOOP LARK.

Legislative Records of the Council, xii., 253.

Legislative Records of the Council, xi., 572. House Journal, p. 19. *Ante*, p. 372, chap. 260.

A MUSTER ROLL of the Company in his Majesties Service under the Command of Capt Joseph Majory on board the Sloop Lark appointed a Guard Vessel to the Fishery, Containing an Accompt of Wages due to the Said Captain & Company for their Service from the 5th of August to the 8th of October 1724, Togather with the Hire of the Said Sloop Amounting in all to the Sum of £367. 16. 11.

Read [Accepted] &

Resolved that the Sum of Two hundred & Seventy Seven Pounds

Sixteen Shillings & threepence[1] be Allowed & Paid out of the Publick Treasury to Capt Joseph Majory, to be by him repaid to the person or persons to Whom the Same is Respectively due in full Discharge of the Wages due on the within Roll, Agreeable to the above Report, And that the further Sum of Seventy three pounds four Shillings & four pence be allowed & paid out of the publick Treasury to the Owner of the Said Sloop Lark or his order, in full Discharge of the Sloop Hire. [*Passed November 24.*

CHAPTER 170.

RESOLVE ALLOWING PAYMENT OF SERJT JAS WOODSIDES MUSTER ROLL.

A MUSTER ROLL of the Soldiers in his Majesties Service under the Command of Sergeant James Woodside. Containing an Accompt of Wages due to them for their Service at Maquoit from the 21st of August 1723, to the 18th of Novr 1724, Amounting to the Sum of £347. 17. 1.

Legislative Records of the Council, xii., 254.

House Journal, p. 23.

[Read, Accepted and]

Resolved that the Sum of Three hundred & forty Seven pounds Seventeen Shillings & one peny be Allowed & paid out of the Publick Treasury to Serjt James Woodside, & the Men born on the Within Roll, to Whom the Same is respectively Due in full Discharge of the wages thereof. [*Passed November 24.*

CHAPTER 171.

RESOLVE ALLOWING THE COUNTY TREASR OF HAMPSHIRE HIS ACCO.

AN ACCOMPT presented by Mr Joseph Hawley Treasurer of the County of Hampshire for the Year 1723, with a Certificate from the Clerk of the Peace for the Said County, That the Said Accompt was presented to the Court of General Sessions of the Peace & by the Said Court Accepted & Allowed.

Legislative Records of the Council, xii., 254.

House Journal, p. 22.

Question Whether this Accompt Shall be Allowed?

Resolved in the Affirmative. [*Passed November 24.*

CHAPTER 172.

RESOLVE ALLOWING £22. 9. 6 TO BARTH: GREEN & SAMUEL KNEELAND.

AN ACCOMPT presented by Bartholomew Green & Saml Keeland of paper & Printing of the votes of the House of Represents at their Last May Session Amounting to the Sum of £22. 9. 6.

Legislative Records of the Council, xii., 254.

House Journal, p. 22.

[Read, and]

Resolved that the Sum of Twenty two pounds Nine Shillings & Six pence be Allowed & paid out of the publick Treasury to the Said Bartholomew Green & Samuel Kneeland in full Discharge of the Said Accompt. [*Passed November 24.*

[1] The House Journal reads, £277. 6. 3.

CHAPTER 173.

RESOLVE ALLOWING £13. 15. 9 TO CAP^T JOS: MAJORY.

Legislative Records of the Council, xii., 255.

House Journal, p. 19.

AN ACCOMPT presented by Capt Joseph Majory of Disburstments for the Sloop Lark and Company under his Command, Amounting to the Sum of £13. 15. 9.

[Read, Accepted and]

Resolved that the Sum of Thirteen pounds fifteen Shillings & Nine pence be Allowed & paid out of the publick Treasury to Capt Joseph Majory in full Discharge thereof. [*Passed November 25.*

CHAPTER 174.

ORDER ACCEPTING THE COM^TTEE REPORT ABOUT Y^E LINE BETWEEN TETICUT & BRIDGEWATER.

Legislative Records of the Council, xii., 255.

House Journal, p. 17. *Ante*, p. 464, chap. 88.

WHEREAS the General Court at their Session in May Last past, upon the Petition of Benj^a Wannoe in Behalf of himself & the other Proprietors of Lands lying at Tetticut on the North Side of the Said River, Appointed us the Subscribers to be a Committee to run the line between the Land of the Said Indians And the Town of Bridgewater

Pursuant to the Said Orders We the Subscribers having Notified the Town of Bridgewater & the Said Indian Proprietors, Met at Bridgewater the Seventh Currant, & on the eighth Day went to Tetticut River, Where the Indian Proprietors met us, And After Some Debate about the Quantity of Land which the Indians Claimed The Said Indians & the Committee of Bridgewater mutually Agreed, That the Said Indians Should have one hundred Acres of Land on that Spot where the Indians had Improved from Time to Time: We Accordingly run the Lines of the Said Hundred Acres, & Made the Bounds between the Indian Lands & the Town of Bridgewater as follows; viz We Began at Tetticut River at the Mouth of a Small Brook, and run a North line Ninety two Rods to the Northwest Corner of Samuel Kieths Land, being a Large black Oak, And from thence we ran a line South Sixty Degrees, Westerly about two hundred & thirty Rods to a Stake And heap of Stones, And from thence a South Line forty two rods to the Brook called the Iron Work Brook, There being an Apple Tree in this last Range near the Said Brook, The Above Mentioned Lines wererun by the Needle, And are Described in the Plan on the other Side of this Sheet

(Sign'd) SAMUEL THAXTER.
JOHN QUINCY.
JACOB THOMSON

Sep^t 9th 1724: At the Time of Making the within Mentioned Agreement, & Settling the Line between the Indians & Bridgewater, The Committee for Bridgewater Reserved the Privilege of Purchasing of any of the Said hundred Acres that Shall be put to Sale hereafter by the Said Indians, Provided they give as Much as Others Will: Sign'd as before

Read &

Ordered that this Report be Accepted. [*Passed November 25.*

CHAPTER 175.

RESOLVE ALLOWING PAYMENT OF CAPT JOS: HEATHS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Capt Jos: Heath, Containing an Accompt of Wages due to them for their sd Service from the 13th of June 1724, to the 20th of November following, Amounting to the Sum of £552. 7. 8. Legislative Records of the Council, xii., 256. House Journal, p. 22.

[Read, Accepted and]

Resolved that the Sum of Five hundred fifty two pounds Seven Shillings & eight pence be Allowed and paid out of the publick Treasury to the Said Capt Jos: Heath & the Other Officers & Soldiers born on on[1] the within Roll to Whom the Same is Respectively due in full Discharge of the Wages thereof. [*Passed November 25.*

CHAPTER 176.

RESOLVE ALLOWING PAYMENT ON CAPT JEREMIAH MOULTONS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service at the Town of York under the Command of Capt Jeremiah Moulton, Containing an Accompt of Wages due to them for their Said Services from Octr 21st 1723, to the 16th of March following, Amounting to the Sum of £335. 4. 6. Legislative Records of the Council, xii., 257. House Journal, p. 20.

[Read, Accepted and]

Resolved that the Sum of Three hundred & twenty Six pounds eighteen Shillings & Eight pence be Allowed & paid out of the Publick Treasury to the Said Capt Jeremiah Moulton and the Other Officers & &[1] Soldiers born on the within Roll, Agreeable to the Committees Report in full Discharge of the Wages thereof. [*Passed November 25.*

CHAPTER 177.

RESOLVE ALLOWING PAYMENT OF CAPT JEREMIAH MOULTONS 2D MUSTER ROLL.

A MUSTER ROLL of the Marching Company in his Majesties Service Eastward under the Command of Capt Jeremiah Moulton, Containing an Accomt of Wages due to them for their Said Service from March 17th 1723, to November 20th 1724, Amounting to the Sum of £929. 2. 1. Legislative Records of the Council, xii., 257. House Journal, p. 23.

[Read, Accepted and]

Resolved that the Sum of Nine hundred & twenty Nine pounds two Shillings & one Peny be Allowed & paid out of the publick Treasury to the Said Capt Jeremiah Moulton, the other Officers & Soldiers born on the Within Roll to Whom the Same is Respectively Due in full Discharg of the Wages thereof. [*Passed November 25.*

[1] *Sic.*

CHAPTER 178.

RESOLVE ALLOWING PAYMENT OF LT JNO LANES MUSTER ROLL.

Legislative Records of the Council, xii., 257.

House Journal, p. 23.

A MUSTER ROLL of the Company in his Majesties Service at the Town of York under the Command of Lieut. John Lane. Containing an Accompt of Wages due to them for their Said Service from June 26th 1724, to November 19th following, Amounting to the Sum of £446. 12.

[Read, Accepted and]

Resolved that the Sum of Four hundred & forty Sixpounds twelve Shillings be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is Respectively Due in full Discharge of the Wages thereof. [*Passed November* 25.

CHAPTER 179.

ORDER ON DINAH COFFINS PETITION GRANTING PERMISSION TO MARRY.

Legislative Records of the Council, xii., 258. Mass. Archives, ix., 181.

House Journal, p. 27.

A PETITION of Dinah Coffin of Nantucket, Shewing that her Husband Elisha Coffin Sailed from the Said Place the twenty Seventh of April 1722, on a Whaleing Voyage, & Soon after his Departure a great Storm Happened. which in all Probability Swallowed up the Said Vessel and Men, Who have Never been heard of Since, And the Petitioner being Restrained from Marrying again by a Law of this Provinee. And therefore Praying that this Court will give her Licence to Marry, the Said Law Notwithstanding.

Read &

Ordered that the Prayer of this Petition be granted And that the Petitioner be permitted to marry accordingly; Any Law Usage or Custom to the Contrary notwithstanding. [*Passed November* 25.

CHAPTER 180.

RESOLVE ALLOWING £30 TO CHRISTIAN & OTHER MAQUAS.

Legislative Records of the Council, xii., 258.

House Journal, p. 27.

AN ACCOMPT of Wages due to Christian, his Son Christian Junr & Isaac his Brother (three Maquas) for their Service in the War five Months each at 40/ per Month Amounting in the Whole to £30.

[Read and]

Resolved that the Sum of thirty po[1] Pounds be Allowed & paid out of the Publick Treasury to the Said Christian & his Son Christian & Isaac (the three Maquas) in equal Proportion, & in full of the Said Accompt. [*Passed November* 25.

[1] *Sic.*

CHAPTER 181.

RESOLVE ALLOWING £56 TO D^R SOL: BACON.

AN ACCOMPT presented by Dr Solomon Bacon one of the Surgeons of the forces Eastward, under the Command of Coll. Thomas Westbrook for his Service from the 8th of April to the 21st of October 1724, Amounting to the Sum of £56.

Legislative Records of the Council, xii., 259.

House Journal, p. 24.

[Read, and]

Resolved that the Sum of fifty Six pounds be Allowed & Paid out of the publick Treasury to the Said Solomon Bacon in full Discharge of the Said Accompt. [*Passed November 25.*

CHAPTER 182.

RESOLVE ALLOWING £812. 5. 4 TO COLL^O JN^O SCHUYLER.

SEVERAL ACCOMPTS of Money Advanced by Coll. John Schuyler at Albany for the Service of this Province, Amounting to the Sum of £812. 5. 4.

Legislative Records of the Council, xii., 259.

House Journal, p. 26.

[Read, accepted and]

Resolved that the Sum of Eight Hundred & twelve pounds five Shillings & four Pence be Allowed & paid out of the publick Treasury to Mr Jacob Wendal of Boston Merchant, for the proper Use & Accompt of the Said John Schuyler Esqr in full Discharge of the Said Accompt. [*Passed November 25.*

CHAPTER 183.

RESOLVE ALLOWING £30 TO EPH: MOOR.

A PETITION of Ephraim Moor Shewing that being in the Service with Capt William Cox in a Schooner against the Indians in a Fight with them in July last at Mount Desert, he Received a Wound by a Shot, which broke the Bone of his Left Arm, So that the Use of it is Wholly Lost, That he has been at the Expence of twelve Pounds for Nursing & Attendence besides his Doctors Bill, That the Petitioner is bound out of the Province not to return Again, And therefore Praying that he may be Allowed his Expences as Aforesaid, And for his Doctors Bill, And that this Court would Please to Afford him Some thing for his Maintenance & Support.

Legislative Records of the Council, xii., 259.

House Journal, p. 28.

Read [Accepted] &

Resolved that the Sum of Thirty Pounds be Allowed & paid out of the Publick Treasury to the Petitioner Ephraim Moor in full Satisfaction of this Petition, And that he be & hereby is Discharged from all Demands both of the Doctor Ebenezer Allen for the Cure & Thomas Millet for Nursing &c. [*Passed November 25.*

CHAPTER 184.

ORDER FOR REFERRING NANTUCKET INDIANS PETITION.

Legislative Records of the Council, xii., 259.

Legislative Records of the Council, xii., 244. House Journal, p. 29. *Ante*, p. 438, chap. 15.

COLL. CUSHING from the Committee of the Board on the Petition & Complaint of Divers Indians of Nantucket, Reported that they Discoursed With the Agents for each party Concerned, & that there was Some Probability that the parties would Accomodate the Matters in Difference Among themselves, If further Time were Allowed: Whereupon the following Vote Pass'd on the Said Petition; Vizt,

A HEARING having been had before the Whole Court on this Petition the Nineteenth Instant, & there having been Some proposals since Since[1] made for an Accomodation;

Ordered that the further Consideration of this petition be refferred to the Next May Session. [*Passed November 25.*

CHAPTER 185.

ORDER ON HENRY DWIGHT ESQR HIS PETITION FOR LAYING OUT LANDS.

Legislative Records of the Council, xii., 260. Mass. Archives, ccxliii., 26.

Legislative Records of the Council, viii., 336. House Journal, p. 28. Province Laws, viii., 249, chap. 70.

A PETITION of Henry Dwight Esqr Setting forth That this Court having made a Grant of Three Hundred Acres of Land to Capt John Sheldon in the Year 1707, for his Service to this Province in Several Journeys to Canada, Wch Said Grant was Accordingly Surveyed & a Plat thereof Returned but it So Happen'd that the Surveyor by Misinformation laid out the Said Grant so as to interfere with the 10,000 Acres of Equivilent Land, & the Petitioner having Purchased the Said Grant of Cpt Sheldon, Therefore Praying that the Same may be laid out in Some Unappropriated Lands

Read and

Ordered that the petitioner be Allowed by a Surveyor and Chain Men under Oath to Survey and lay out Three hundred Acres of Some of the Unappropriated Lands in this Province where the Same may be found, A Plat thereof to be returned to this Court within Twelve Months for Confirmation and to Discharge and Satisfy the Grant made to the Said John Shelden as aforesaid, And the former Survey is hereby Declared Null & Void. [*Passed November 25.*

CHAPTER 186.

RESOLVE ON MARY BAILEYS PETITION IN REGARD TO THE WAGES OF HER HUSBAND AS A SOLDIER, NOW AT SEA.

Legislative Records of the Council, xii., 260. Mass. Archives, lxxii., 207.

Mass. Archives, lxxii., 205. House Journal, p. 25.

A PETITION of Mary Baily, Setting forth that her husband Christopher Baily was a Soldier at His Majesties Castle William, & Dismiss'd a Little before the Making up of the Muster Roll of Said Garrison the last Spring, & then Went to Sea, & has been Never heard of Since. And therefore Praying that She may be Impowered to receive the Wages due to her Said Husband for her Necessary Support, She being in very Poor & Indigent Circumstances.

Read and

[1] *Sic.*

Resolved That Mr Treasurer Allen be directed & impowred to pay to thepetitioner the Wages due to the said Christopher Bayley on the last Muster Roll of the Garrison at Castle William. [*Passed November 25.*

CHAPTER 187.

RESOLVE ALLOWING £40 TO MR JAMES BOWDOIN.

AN ACCOMPT presented by Capt James Bowdoin of four great guns bought of him by Mr Treasurer Allen for the Service of the Government Amounting to the Sum of £40.

Legislative Records of the Council, xii., 260.

[Read, and]

House Journal, p. 28.

Resolved that the Sum of forty Pounds be Allowed & paid out of the Publick Treasury to Mr James Bowdoin in full Discharge of the Said Accompt. [*Passed November 25.*

CHAPTER 188.

RESOLVE ALLOWING 19/ 6 TO LUKE VARDY.

AN ACCOMPT of Luke Vardy for Entertaining four Indian Maquas, Amounting to Nineteen Shillings & Six pence

Legislative Records of the Council, xii., 260.

[Read, Accepted and]

House Journal, p. 28.

Resolved that the Sum of Nineteen Shillings & Six pence be Allowed & paid out of the Publick Treasury to Luke Vardy the Accomptant in full Discharge thereof. [*Passed November 25.*

CHAPTER 189.

RESOLVE ALLOWING £20 TO Lt JOS: DIMMOCK.

A PETITION of Lieut. Joseph Dimmock Shewing that in the Fight with the Indians at Norridgewock he received a Very Dangerous Wound which has put him to great Pain, & is not Cured, & therefore Praying from this Court Some Allowance as Smart Money

Legislative Records of the Council, xii., 261.

House Journal, p. 27.

Read &

Resolved that the Sum of Twenty Pounds be Allowed & paid out of the Publick Treasury to Lieut. Joseph Dimmock in Consideration of the Wound he received in the engagement at Norridgewock as Smart Money. [*Passed November 25.*

CHAPTER 190.

RESOLVE ALLOWING £11. 2. 11 TO DAV: INGERSOL.

AN ACCOMPT of David Ingersole, for Entertaining Soldiers at Springfield, Riding Expressess Amounting to the Sum of £11. 2. 11.

Legislative Records of the Council, xii., 261.

[Read, Accepted and]

House Journal, p. 23.

Resolved that the Sum of Eleven Pounds two Shillings & Eleven pence be Allowed & paid out of the publick Treasury to the Said David Ingersol in full Discharge of the Said Accompt. [*Passed November 25.*

CHAPTER 191.

VOTE ACCEPTING THE COMMITTEES REPORT ON HENRY HOWLANDS PETITION REFERRING TO THE ASSESSOR OF DARTMOUTH.

Legislative Records of the Council, xii., 251, 255. Mass. Archives, cxiii., 668.

House Journal, p. 31.

A PETITION of Henry Howland, one of the Select Men of the Town of Dartmouth in Behalf of the s^d^ Town Setting forth that the Two other Select Men (who are Likewise Assessors) of the Said Town are imprisoned in his Majesties Goal in Bristol, whereby the Petitioner is render'd uncapable of doing his Duty of Making the Assesments According to Law, as Likewise of Performing the other Offices of a Select Man in Calling the Said Town togather, And therefore praying the Direction of this Court how he Shall proceed in the Affairs of the Said Town as a Select Man & Assessor, as Aforesaid,

[An order having referred the foregoing to a committee of the two houses]

In Obedience to the within Order, The Committee humbly report as follows,

That whereas His Maj^tys^ Royall Pleasure has been lately signified to this Government for remitting the Additionall Tax of the same Nature with this withinmentioned laid by the Gen^ll^ Court upon the Towns of Dartmouth & Tiverton in the Year 1722 & for releasing from Imprisonment the persons committed to Gaoll on the same account on which the persons withinnamed were committed, It may be therefore adviseable for this Court to testify their ready & dutifull Compliance with His Maj^ties^ declared Will and Pleasure in this Matter, by ordering that the Said Jacob Tabor & Beriah Goddard be released from Imprisonment, Upon the said Tabor & Goddard's paying or giving Sufficient Security to the province Treasurer for the payment of the Sum of £81. 12/, laid on the said Town as their proportion of the province Tax for ye Year 1723 and that the Treasurer do forthwith Issue his Warrants to the Constables or Collectors for the Year 1723 to collect & pay in the said Rates, who are hereby fully impowred & directed to perform their Several Duties as by Law required their time of Service being expired, or other usage to the Coutrary Not withstanding all which is humbly Submitted

In the Name & by order of ye Committee

N: BYFIELD

In Council, Read & Ordered that this Report be Accepted:

In the House of Representatives Read & Concur'd with an Amendment Viz^t^ [striking out the following words] And that the Treasurer do forthwith Issue forth his Warrants to the Constables or Collectors for the Year 1723 to Collect & pay

Agreed in Council. [*Passed November 26.*[1]

[1] This is the date according to Mass. Archives; in Legislative Records of the Council, xii., 255, the date is given as November 25. In this latter record no mention is made of the amendment, in the concurrence.

CHAPTER 192.

RESOLVE ON L^T JN^O LARRABEES ACC^O OF VICTUALLING Y^E GARRISON AT CASTLE WILLIAM; SIX MONTHS PAY TO BE ADVANCED TO HIM.

AN ACCOMPT presented by Lieut John Larrabee, of the Charge of Victualling the Garrison at his Majesties Castle William from the 25th of May 1724, to the 22d of Novem^r following, Ballance of the Said Accompt due to the Said Larrabee being £87. 10. 5.

[Read, Accepted and]

Resolved that Mr Treasurer be Directed to pay to the Accomptant John Larrabee the Sum of Eighty Seven pounds ten Shillings & five pence being the Ballance of this Accompt; And further to enable the Said Larrabee to Victual the Garrison at His Majesties Castle William According to the Establishment of the Court made the twentieth of Decem^r Past, It is

Resolved that Mr Treasurer be & hereby is Directed to pay & Advance to Lieu^t John Larrabee Six Months pay for Victualling the Said Garrison According to the Said Establishment, Taking Security of him for the true & faithfull Performance hereof. [*Passed November 26.*

Legislative Records of the Council, xii., 261.

House Journal, p. 28. *Ante*, p. 411, chap. 383; p. 455, chap. 62.

CHAPTER 193.

ORDER TO IMPOWER BEN WANNOE TO SELL LAND.

A PETITION of Richard Davenport of Bridgewater, Shewing that Benj^a Wannoe hath Desired of the Petitioner to Purchase of him certain Lands (lying Commodiously for the Petitioner) which the Said Wonnoe hath Desired Liberty to Sell for the Payment of his Debts, And therefore praying that he may be Allowed to purchase the Said Land Accordingly.

Read And

Ordered that Benjamin Wonnoe be allow'd to sell forty Acres of Land as mentioned in his Petition of May last, And that Cpt. Benjamin Warren of Plimouth & Lieut. Samuel Leonard of Taunton be desired as Trustees for the said Wonnoe to dispose thereof to the highest Bidder, Giving Notice of the Time & Place of Sale by Posting up the same at the Meeting Houses in Bridgewater one Month before Hand, And the said Trustees are desired to take Care that the Produce of the said Land be applied for the Payment of the said Wonnoes just Debts & the Remainder to be employ'd so as shall be most to his Advantage. [*Passed November 27.*

Legislative Records of the Council, xii., 262. Mass. Archives, xxxi., 116.

House Journal, p. 34. *Ante*, p. 464, chap. 88.

CHAPTER 194.

RESOLVE ALLOWING PAYMENT ON CAP^T TIM^O DWIGHTS MUSTER ROLL OF THE ENGLISH GARRISON AT FORT DUMMER.

A MUSTER ROLL of the Garrison of English Soldiers in his Majesties Fort Dummer on Connecticut River, Timothy Dwight Captain Containing an Accompt of Wages due to the Said Capt & Company for their Service from the 1st of June to the 30th of Novem^r 1724, Amounting to the Sum of £433. 9. 9 togather with the Subsistence of the Said Gar-

Legislative Records of the Council, xii., 262.

House Journal, p. 31.

rison the Said Time Amounting to the Sum of £204. 12. 9 In all the Sum of £645. 5. 4.

[Read, Accepted and]

Resolved that the Sum of Six hundred & forty two pounds twelve Shillings & Six pence be Allowed & paid out of the publick Treasury to the Said Timothy Dwight, the Other Officers & Soldiers to Whom Whom[1] the Same is due & the Persons that have Subsisted them in full Discharge of ye Wages & Subsistence due on the Said Roll. [*Passed November 27.*

CHAPTER 195.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E INDIANS AT FORT DUMMER.

Legislative Records of the Council, xii., 263.

House Journal, p. 31.

A MUSTER ROLL of the Indian Soldiers in his Majesties Service at Fort Dummer under the Command of Capt Timothy Dwight, Containing an Accompt of Wages due to them for their Said Service from the 1st of June 1724, to the 29th of October following Amounting to the Sum of £59 togather with their Subsistence the Said Time, Amounting to £51. 8. 6 In all the Sum £110 8. 6 & £22 More for Disburstments

Read [Accepted] &

Resolved that the Sum of one hundred & thirty two Pounds eight Shillings & Six pence be allowed & paid out of the publick Treasury to Capt Timothy Dwight & the other Officers born on the within Roll to Whom the Same is due in full Discharge of the wages & Subsistence thereof, & of the Accompt of Disburstments to the Roll Annex'd. [*Passed November 27.*

CHAPTER 196.

RESOLVE ALLOWING £7 TO ELIS^A LUND.

Legislative Records of the Council, xii., 263.

House Journal, p. 32.

A PETITION of Elizabeth Lund of Dunstable, Praying an Allowance for an Horse killed at Dunstable aforesaid when her Husband was Likewise killed by the Enemy.

Read &

Resolved that the Sum of Seven Pounds be Allowed & paid out of the Publick Treasury to Coll. Eleazer Tyng for the Use of the Petitioner in Satisfaction for the Said Horse. [*Passed November 27.*

CHAPTER 197.

VOTE FOR SETTING OFF SUNDRY FAMILIES FROM DORCHESTER TO WRENTHAM.

Legislative Records of the Council, xii., 264.

House Journal, p. 33.
Ante, p. 468, chap. 102.

UPON THE PETITION of Jonathan Blake Solomon Hews & Sundry Others Inhabitants of the Westermost part of Dorchester, Praying to be Set off to the Town of Wrentham,

Read togather with the Answer of the Town of Dorchester thereto, And In Answer to this Petition

[1] *Sic.*

Voted that the Petitioners & their Estates be and hereby are annexed to the Town of Wrentham to do the Duty's & enjoy the Privileges of the Inhabitants in that Town; The School Farm in Dorchester in the present Possession And Improvement of Solomon Hews to be exempted, And that they be freed from doing duty to Dorchester And they are so to Continue until this Court take further order Order[1] About them. [*Passed November 27.*

CHAPTER 198.

RESOLVE ALLOWING PAYMENT OF CAPT JOS: KELLOGS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service on the Western Frontiers under the Command of Capt Jos: Kellogg, Containing an Accompt of Wages due to them for their Service from the 20th of May 1724, to Novr 17th follows togather with the Subsistence of the Said Company the Said Time, Amounting to the Sum of £1,517. 15. 2.

Legislative Records of the Council, xii., 265.

House Journal, p. 31.

Read [Accepted] &

Resolved that the Sum of One thousand five hundred & Seventeen Pounds fifteen Shillings & Two pence be Allowed & Paid out of the Publick Treasury as the Same is Respectively due, to the Officers & Soldiers born on this Roll, & to the Persons that have Subsisted them in full Discharge of the Wages & Subsistence thereof. [*Passed November 28.*

CHAPTER 199.

RESOLVE ALLOWING £10 TO DR THOS HASTINGS.

Resolved that the Sum of Ten pounds be Allowed & paid out of the publick Treasury to Dr Thomas Hastings, being So Much Advanced by him in Medicines &c, for the Use of the Forces in the County of Hampshire in the Service of this Province, & Expended on them. [*Passed November 28.*

Legislative Records of the Council, xii., 265.

House Journal, p. 33.

CHAPTER 200.

RESOLVE ALLOWING £2. 2 TO COLL JNO CUSHING.

AN ACCOMPT presented by Coll. John Cushing of the Charge of Billiting Soldiers Impress'd for his Majesties Service in the County of Plymouth in July Last, Amounting to the Sum of £2. 2.

Legislative Records of the Council, xii., 265.

House Journal, p. 34.

Read &

Resolved that the Sum of Two Pounds Two Shillings be Allowed & paid out of the Publick Treasury to the Honble John Cushing Esqr in full Discharge of the Said Accompt. [*Passed November 28.*

[1] *Sic.*

CHAPTER 201.

RESOLVE ALLOWING £5 AND AN ANNUAL PENSION OF £5 TO DAN^L CONNER.

Legislative Records of the Council, xii., 265.

House Journal, pp. 27, 35.

A PETITION of Daniel Conner, Shewing that he being a Soldier in his Majesties Service Eastw^d under the Command of Capt Frances Barker[1] He was Ordered to fire a great Gun, W^ch in the Recoil Struck his Shoulder & So Wounded it & Dislocated the Bones, That the Endeavours of four Surgeons have not proved Success full to Reduce it, So that he is in a great Measure rendered Uncapable of Labouring for his Subsistence, And therefore praying the Allowance of a Pension from this Court

Read [Accepted] &

Resolved that the Sum of Five Pounds be Allowed & Paid out of the publick Treasury to Abraham Booth of Pembrook for the Use of the Petitioner in Consideration of the Wound he received, And further that the Sum of five pounds be Allowed & paid out of the Publick Treasury Annually by Way of Pension to the Said Daniel Conner During the Pleasure of this Court. [*Passed November 28.*

CHAPTER 202.

RESOLVE ALLOWING £40. 10 TO EDM^D MOUNTFORTH.

Legislative Records of the Council, xii., 266.

House Journal, p. 34.

AN ACCOMPT presented by Edmund Mountforth for Wages due to him as Assistant to the Treasurer in Delivering out Stores to the Forces Eastward from July 17th to Novr 24th 1724, Amounting to the Sum of £40. 10.

[Read and]

Resolved that the Sum of forty pounds ten Shillings be allowed & paid out of the publick Treasury to the Said Edmund Mountforth in full Discharge of the Said Accompt. [*Passed November 28.*

CHAPTER 203.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT CASTLE WILLIAM.

Legislative Records of the Council, xii., 266.

House Journal, p. 37.

A MUSTER ROLL of the Garrison in His Majesties Service at Castle William under the Command of the Honb^l William Dummer Esqr Containing an Acc^o of Wages due to them for their Said Service from May 25th 1724 to Novem^r 22^d following, Amounting to the Sum of £490. 9. 6.

Read [Accepted] &

Resolved that the Sum of four hundred & Ninety Pounds Nine Shillings & Six pence be Allowed & paid out of the publick Treasury to the Honb^le William Dummer Esqr the Other Officers & Soldiers Soldiers[2] born on this Roll, in full Discharge of the Wages thereof. [*Passed November 30.*

[1] "Baker" in the Secretary's copy; elsewhere "Barker." See *ante*, p. 146, note; House Journal, p. 27.

[2] *Sic.*

CHAPTER 204.

RESOLVE ALLOWING £8. 15 TO COLL SAM^L BROWN.

AN ACCOMPT presented by Coll. Saml Brown of the Charge of Billeting Soldiers at Salem by his Order, & of Money Delivered by him to Coll. Harman for the Like Service, Amounting to the Sum of £8. 15.

Legislative Records of the Council, xii., 267.

House Journal, p. 36.

[Read, and]

Resolved that the Sum of eight pounds fifteen Shillings be allowed & paid out of the Publick Treasury to the Honble Saml Brown Esqr to be by him paid as it is due to Discharge the Above Accompt. [*Passed November 30.*

CHAPTER 205.

ORDER GRANTING THE PETITION OF ELIJAH & SAM^L DANFORTH FOR PARTITION OF LANDS BETWEEN HEIRS, SOME OF THEM BEING UNDER DISABILITY.

A PETITION of Elijah Danforth & Sam^ll Danforth of Dorchester who with others their Brothers & Sisters as Heirs of Mrs Elizabeth Danforth Dec^d are Tennants in Common with Sundry other Proprietors of Lands, Many of Whom are importunately desirous of a legal Partition, but one of the Co-Heirs with the petitioners is a Minor, & is at Surinam, & two Others are under a Disability to Act, by Reason of a Discomposure in their Understanding, And therefore Praying that they May be Impowered to Join with the Other Tenants as Heirs to their Mother in the S^d Division, The Disability of the Others Heirs Notwithstanding, And that What they Shall Act therein may be Valid, both as to them selves & the Other Heirs;

Legislative Records of the Council, xii., 267.

House Journal, p. 41.

And a Certificate of the Revd Mr John Danforth of his Consent thereto was presented. Read &

Ordered that the Prayer of the petition be Granted, And that the Petitioners be & hereby are in Behalf of them selves & the Other Heirs of Mrs Elis^a Danforth Dec^d fully Impowered to Agree upon a Partition of the Lands Whereof they with Other Proprietors are Tenants in Common; Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed November 30.*

CHAPTER 206.

RESOLVE ALLOWING PAYMENT OF TIMOTHY DWIGHTS ACC^O OF CHARGES AT FORT DUMMER.

AN ACCOMPT presented by Capt Timothy Dwight of the Charge of Materials & Work in the Building of the Fort or Block House Above Northfield called fort Dummer, by Order of the General Assembly, Amount^g in ye Whole to the Sum of £256. 4. 1.

Legislative Records of the Council, xii., 267.

House Journal, p. 36. *Ante*, p. 423, chap. 422.

Read [Accepted] &

Resolved that the Sum of Two Hundred & fifty Six Pounds four Shillings & one peny be Allowed & paid out of ye Publick Treasury to Capt Timothy Dwight, to be by him paid to the respective Persons to Whom the Same is due, in full Discharge of this Acc^o. [*Passed December 1.*

CHAPTER 207.

RESOLVE FOR MAKING THE SUM OF £20,000 IN BILLS OF CREDIT.

Legislative Records of the Council, xii., 268.

House Journal, p. 26.

Resolved that the Committee that made the last Bills of Credit on this Province be Desired & Directed to print off & finish as Soon as May be the Sum of Twenty Thousand Pounds, Seventeen Thousand Pounds Part thereof from the Plate of the Highest Denomination, & three Thousand Pounds the Remainder thereof from the Plate of the Middle Denomination, & Deliver the Same when finished to the Treasurer, Taking his Receipt for them, The Said Committee to be paid for their Service as for the Last bills made & the Bills to be Issued out as this Court Shall Order. [*Passed December 1.*

CHAPTER 208.

RESOLVE ALLOWING £7 TO CAPT RICHD BOURN FOR RAISING A COMPA OF INDIANS.

Legislative Records of the Council, xii., 268.

House Journal, p. 42.

Resolved that the Sum of Seven pounds be Allowed & paid out of the Publick Treasury to Capt Richard Bourn, for the like Sum Advanced & Expended by him in Raising a Company of Indians for the Service of the Province in June last. [*Passed December 2.*

CHAPTER 209.

RESOLVE ALLOWING £350 TO MR AGENT COOK.

Legislative Records of the Council, xii., 268.

House Journal, p. 42.

Resolved that Mr Treasurer Allen be Directed & is hereby Impowered to Purchase & Remit at the Lowest & Best rates that he Can the Sum of Three hundred & fifty Pounds Sterling, to be put into the Hands of Elisha Cook Esqr the Agent for this House now at the Court of Great Britian, the Better to Enable him to Negotiate the Affairs he is there Intrusted with by the House. [*Passed December 2.*

CHAPTER 210.

RESOLVE ALLOWING £90. 10 TO MR JONA PEIRPOINT.

Legislative Records of the Council, xii., 269.

House Journal, p. 39.

A PETITION of Mr Jonathan Pierpoint, Chaplain of the Forces Eastwd Under the Command of Coll. Thomas Westbrook, Praying to be Allowed for his Service as Chaplain as Aforesaid from the 27th of September 1723, to this day after the Rate of Eight pounds per Month,

Read &

Resolved that the Sum of Ninety Pounds & ten Shillings[1] be Allowed & paid out of the Publick Treasury to Mr Jonathan Pierpoint for his Service as Chaplain to the Forces Eastward, And is in full, to this Day. [*Passed December 2.*

[1] The House Journal reads, £91. 10.

CHAPTER 211.

RESOLVE ALLOWING PAYMENT TO SARAH ROBINSON OF WAGES DUE TO HER HUSBAND, LATE A SOLDIER.

A PETITION of Sarah Robinson, Widow of Matthew Robinson Dec^d late a Soldier in his Majesties Service at Fort Mary under Capt Saml Hinks, Praying that this Court would Order the Treasurer to pay to the Petitioner the Wages due to the Said Matthew Robinson for his Services as Aforesaid, she being in Necessitous & indigent Circumstances.

Legislative Records of the Council, xii., 269.

House Journal, p. 35.

Read &

Resolved that Mr Treasurer Allen be Impowered & Directed to Pay to the Petitioner Sarah Robinson what Money is due to her Husband on the Roll of the Garrison at Fort Mary under ye Command of Capt Sam^ll Hinks. [*Passed December 2.*

CHAPTER 212.

RESOLVE ALLOWING PAYMENTS FOR WILLIAM CUMMINS AND TO JOHN TAYLOR'S WIFE.

A PETITION of William Cummins of Dunstable Shewing that in Septem^r last being under the Command of Coll' Eleazer Tyng he was Wounded by a Shot in an Engagement with the Indian Enemy, That he has expended three pounds for the Cure of his Said Wound, And Praying An Allowance for the Same as also for his gun lost at that Time, and Such further Allowance as this Court Shall think fit. Read &

Legislative Records of the Council, xii., 269.

House Journal, pp. 40, 41.

Resolved that the Sum of Ten Pounds fifteen Shillings be Allowed & paid out of the Publick Treasury to Coll. Elea^r Tyng, for the Use of the Petitioner for Smart Money, Fetching Doctors Medicines &c & for the Loss of the Petitioners Gun, And that the further Sum of three pounds be Allowed & paid out of the Publick Treasury to the Said Tyng to be by him paid to John Taylour for his Wifes Nursing & Attendence on the Petitioner. [*Passed December 2.*

CHAPTER 213.

RESOLVE ALLOWING £40. 7 TO BENJ^A ROLF.

AN ACCOMPT presented by Benjamin Rolfe of Writing Copys & Other Things to be Sent to Mr Agent Cook, & Other Writings for the Governm^t Amounting in the Whole to the Sum of £40. 7.

Legislative Records of the Council, xii., 269.

[Read, Accepted and]

House Journal, p. 23.

Resolved that the Sum of forty Pounds & Seven Shillings be Allowed & Paid out of the Publick Treasury to Mr Benj^a Rolfe in full Discharge of the Said Accompt. [*Passed December 2.*

CHAPTER 214.

RESOLVE ALLOWING PAYMENT OF SERG^T NATHAN KNIGHTS MUSTER ROLL.

Legislative Records of the Council, xii., 270.

House Journal, p. 33.

A MUSTER ROLL of the Soldiers in his Majesties Service at Scarbrough Under the Command of Sergeant Nathan Knight Containing an Accompt of Wages due to the Said Soldiers for their Service from May 29th 1724 to Octo^r 28th following Amounting to the Sum of £96. 14. 8.

[Read and]

Resolved that the Sum of Ninety Six Pounds fourteen Shillings & Eight Pence be Allowed & paid out of the publick Treasury to the Said Nathan Knight & the Men born on the Within Roll in full Discharge of the Wages thereof. [*Passed December 2.*

CHAPTER 215.

RESOLVE ALLOWING PAYMENT ON LIEUT RICH^D BOURNS MUSTER ROLL.

Legislative Records of the Council, xii., 270.

House Journal, pp. 44, 45.

A MUSTER ROLL of the Company under the Command of Lieutenant[1] Richard Bourn in his Majesties Service on the Eastern frontiers, Containing An Accompt of Wages due to them for their Said Service from the 27th of Novem^r 1723 to ye 16th of March following, Amounting to the Sum of £328. 8. 6.

[Read Accepted and]

Resolved that the Sum of three hundred & Twenty four Pounds one Shilling & Seven Pence be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll to Whom the Same is Respectively due in full Discharge of the Wages thereof. [*Passed December 2.*

CHAPTER 216.

RESOLVE ALLOWING PAYMENT OF CAP^T RICH^D BOURNS 2^D MUSTER ROLL.

Legislative Records of the Council, xii., 270.

House Journal, p. 44.

A MUSTER ROLL of the Company in his Majesties Service at the Town of York Under the Command of Capt Richard Bourn, Containing an Accompt of Wages due to them for their Said Service from March 17th 1723, to June 26th 1724, Amounting to the Sum of £256. 7.

[Read, Accepted and]

Resolved that the Sum of Two hundred & fifty Six Pounds Seven Shillings be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the Within Roll, to Whom the Same is Respectively due in full Discharge of the Wages thereof. [*Passed December 2.*

[1] The House Journal reads, "Capt."

CHAPTER 217.

RESOLVE ALLOWING PAYMENT OF CAPT RICHD BOURNS 3D MUSTER ROLL.

A MUSTER ROLL. of the Company in his Majesties Service Eastward Under the Command of Capt Richard Bourn Containing an Accompt of Wages due to them for their Said Service from the 26th of June 1724, to the 20th of Novr following, Amounting to the Sum of £288. 9. 10.

Legislative Records of the Council, xii., 270.

House Journal, p. 45.

[Read, Accepted and]

Resolved that the Sum of Two hundred & eighty eight pounds Nine Shillings & ten pence be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is Respectively due in full Discharge of the wages thereof. [*Passed December 2.*

CHAPTER 218.

RESOLVE ALLOWING £68 TO DR EBENR ALLEN.

AN ACCOMPT. presented by Dr Ebenezer Allen Surgeon of the forces in His Majesties Service Eastward under the Command of Coll. Thos Westbrook, for his Service from April 8th 1724 to Decr 1st 1724, Amounting to the Sum of £68 Together with an Accompt of the Cure of Ephraim More's Arm.

Legislative Records of the Council, xii., 270.

House Journal, p. 41.

[Read, and]

Resolved that the Sum of Sixty eight Pounds be Allowed & Paid out of the publick Treasury to Dr Ebenezer Allen in full Discharge of the Above Accompt, & of his Accompt of Curing Eprhraim Mores of a Wound in his Arm to this Accompt Annex'd, Amounting to fifteen pounds. [*Passed December 2.*

CHAPTER 219.

RESOLVE ON ACCO OF SELLING PROVINCE LAND NEAR OXFORD.

AN ACCOMPT Sign'd John Clark in Behalf of himself & the rest of the Committee Appointed by this Court at their Last Session to Sell a parcell of Province Land, Containing 250[1] Acres lying near Oxford, Amounting to Seventy Eight Pounds three Shillings & Eleven pence Exclusive of Charges, Read & Accepted &

Legislative Records of the Council, xii., 271.

House Journal, p. 41. *Ante*, p. 478, chap. 135.

Resolved that the Accomptants be & hereby are Discharged Accordingly. [*Passed December 2.*

[1] The House Journal reads, 350; while the State Library copy, Legislative Records of the Council, xii., 246, reads 250, as above.

CHAPTER 220.

RESOLVE ALLOWING PAYMENT OF SERGT JOHN STERNS MUSTER ROLL.

Legislative Records of the Council, xii., 271.

House Journal, p. 44.

A MUSTER ROLL of the Scout in his Majesties Service at Brookfield under the Command of Sergt John Sterns, Containing an Accompt of Wages due to them for their Said Service from August 1st 1724, to Octor 30th 1724 Amounting to the Sum of £124. 12. 4 Togather with the Subsistence of the Men the Said Time, Amounting to the Sum of £61. 5.

[Read, Accepted and]

Resolved the Sum of one hundred & Twenty four pounds Twelve Shillings & four Pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on this Roll to Whom the Same is Respectively due in full Discharge of the Wages thereof, And that the further Sum of Sixty one Pounds five Shillings be Allowed & paid out of the Publick Treasury to the Said John Sterns to be by him paid to the Person or Persons that have Subsisted the Said Men in full Discharge thereof. [*Passed December 2.*

CHAPTER 221.

RESOLVE ALLOWING PAYMENT OF CAPT JONA RICHARDSONS MUSTER ROLL.

Legislative Records of the Council, xii., 271.

House Journal, p. 37.

A MUSTER ROLL of the Company in his Majesties Service at Dunstable under the Command of Capt Jona Richardson, Containing an Accompt of Wages due to them for their Service, togather with their Subsistence from Septer 13th 1724 to Septr 19th following Amounting to the Sum of £22. 2.

[Read, Accepted and]

Resolved that the Sum of Twenty Two pounds two Shillings be Allowed & paid out of the Publick Treasury to Capt Jonathan Richardson to be by him Repaid to the Persons to Whom the Same is Respectively due in full of the Wages & Subsistence of the Said Roll. [*Passed December 2.*

CHAPTER 222.

RESOLVE ALLOWING PAYMENT ON SERGT JNO KYES MUSTER ROLL.

Legislative Records of the Council, xii., 271.

House Journal, pp. 43, 44.

A MUSTER ROLL of the Scout in his Majesties Service at Shrewsbury Under the Command of Sergt John Keys, Containing an Accompt of Wages due to them for their Said Service from July 9th 1724 to October 29th following, Amounting to the Sum of £92. 16. 1 togather with the Subsistence of the Said Men the Said Time, Amounting to the Sum of £44.

[Read, Accepted and]

Resolved that the Sum of Ninety Two Pounds fifteen Shillings & One peny be Allowed & Paid out of the publick Treasury to the Said Sergt John Kyes & the Men born on the Roll in full Discharge of the Wages,

And that the further Sum of Forty four Pounds be Allowed & paid out of the Publick Treasury to the Said John Kyes to be by him paid to the person or Persons that have Subsisted the Said Men in full Discharge of this Roll. [*Passed December 2.*

CHAPTER 223.

RESOLVE ALLOWING £12. 5 TO THO^S MILLET.

AN ACCOMPT of Thomas Millet for Nursing and Attendence on Ephraim Moor a Soldier Wounded in the Service, Amounting to the Sum of £12. 5.

Legislative Records of the Council, xii., 272.

[Read, and]

Resolved that the Sum of Twelve Pounds five Shillings be Allowed & Paid out of the Publick Treasury to the Said Thomas Millet or his Order in full Discharge of the Within Accompt. [*Passed December 2.*

House Journal, p. 41.

CHAPTER 224.

ORDER GRANTING AN ALIAS EXECUTION TO JOS: ROYAL.

A PETITION of Joseph Royal of Boston Sail Maker, Shewing that at an Inferiour Cout of Common Pleas held at Boston for the County of Suffolk in Jany 1721, He recovered Judgement Against Edward Beal of York for the Sum of fifty eight Pounds Nine Shillings & Six pence, being the Chauncery of a Bond to its Just Debt & Damages & Costs, And Execution was Issued out the 22^d of January 1721, upon the Said Judgement, & Was Committed to John Leighton Esqr Sheriff of the County of York, Who Levied the Same on the House & Land of the Said Beal, And as the Said Sheriff declared, he Sent the Same in a Letter directed to the Clerk of the Said Court by the Post, but so it Happened that the Said Letter Miscarried, & the Execution was Never Return'd into the Proper Office as the Petitioner can finde, And being Without Relief in the Common Course of the Law, Therefore praying y^t this Court would order that an Allias Execution may issue out of the Said Clerks Office for the Said Debt & Costs recovered as Aforesaid

Legislative Records of the Council, xii., 272.

House Journal, pp. 42, 43.

Read &

Ordered that the Prayer of the Petition be granted, & that the Clerk of the Inferiour Court of Common Pleas for the County of Suffolk be Directed to Issue out an Allias Execution for the Debt and Costs recovered by the Petitioner Against the Said Edward Beal as Aforesaid, Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed December 2.*

CHAPTER 225.

RESOLVE ALLOWING £7 TO COLL^O ELEA^R TYNG.

AN ACCOMPT presented by Coll. Eleazer Tyng of Half a Barrell of Gun Powder which he furnished the Soldiers with, Amounting to the Sum of £7.

Legislative Records of the Council, xii., 272.

House Journal, p. 40.

[Read, and]

Resolved that the Sum of Seven pounds be Allowed & paid out of the publick Treasury to Coll. Eleazer Tyng to Discharge the Said Accompt. [*Passed December 2.*

CHAPTER 226.

RESOLVE ALLOWING £3. 6 TO CAPT TIMO DWIGHT.

Legislative Records of the Council, xii., 273.

House Journal, p. 40.

A PETITION of Capt Timothy Dwight, Praying an Allowance out of the Publick Treasury for Deers Leather Supplied the English & Indians at the Garrison at Fort Dummer, the Same being Necessary for Scouting the Value of What he has Supplied being Six pounds thirteen Shillings, & the Petitioner not having Carried it to the Debt of the Soldiers who received it

Read &

Resolved that the Sum of three Pounds Six Shillings[1] be Allowed & Paid out of the Publick Treasury to the Petitr Timothy Dwight in full Satisfaction of the Deers Leather Mention'd in the petition. [*Passed December 2.*

CHAPTER 227.

RESOLVE ALLOWING £2. 10 TO JOSEPH BLANSHIRE, AND £1. 2 TO BENJAMIN PARKER, PILOTS.

Legislative Records of the Council, xii., 273.

House Journal, p. 43.

A PETITION of Capt Ebenezer Brooks, Praying an Allowance to Jos: Blanshire and Benja Parker two Pilots he Employed when in the Publick Service and Put their Names in the Muster Roll but Left the Sums to be filled up by the Court, Which was then Omitted, & No Allowance made them at that Time.

Read &

Resolved that the Sum of Two Pounds & Ten Shillings be Allowed & paid out of the Publick Treasury to Joseph Blanshire, And that the Sum of one pound two Shillings be Allowed & paid out of the Publick Treasury to Benjamin Parker in full for their Respective Services as Pilots to the Company of Troopers Commanded by the Said Ebenezer Brooks. [*Passed December 2.*

CHAPTER 228.

RESOLVE ALLOWING 24/ TO JONA REMINGTON & 40/ TO JNO QUINCY ESQRS.

Legislative Records of the Council, xii., 273.

House Journal, p. 22.
Ante, p. 460, chap. 75.

Resolved that the Sum of Twenty four Shillings be Allowed & paid out of the Publick Treasury to Jonathan Remington Esqr And that the further Sum of forty Shillings be Allowed & paid out of the publick Treasury to John Quincy Esqr They being of the Committee of both Houses Appointed to Sit in the Recess of the Court, to Consider of Some proper Methods for Retrieving the Value of the Bills of Credit, & Attended that Service in the Town of Boston, Which Called them from their Particular Business & Homes. [*Passed December 2.*

[1] The House Journal reads, £3. 6. 6.

CHAPTER 229.

RESOLVE ALLOWING £24. 13. 2 TO JNO WOOD.

AN ACCOMPT of John Wood for Cleaning & Mending the Small Arms belonging to Castle William, Amounting to the Sum of £24. 13. 2.

[Read, Accepted and]

Resolved that the Sum of twenty four Pounds thirteen Shillings & two pence be Allowed & Paid out of the publick Treasury to the Accomptant. John Wood in full Discharge thereof. [*Passed December* 2.

Legislative Records of the Council, xii., 273.

House Journal, p. 35.

CHAPTER 230.

ORDER FOR A COMMITTEE ON THE PETITION OF BENJA HOBART &c FOR SOUTH BRANTRY.

A PETITION of Benjamin Hobart & Nathaniel Thayer with Sundry others Inhabitants of the South Precinct in Brantry, Shewing that the Meeting House there Stands at one end of the Said Precinct. So that the petitioners who dwell at the other End are very ill Accomodated for attending the publick Worship of God there, And therefore Praying that this Court would Order the Removal of the Said Meeting House into the Middle of the Said Precinct for the more equal & indifferent Accomodation of the Inhabitants thereof.

In the House of Represent^s Read & Also the Answer of the South Precinct in Brantry thereto; And

Voted that Coll. Robert Spur Mr Edward White & Mr Ebenezer Stone with Such as the Honble Board Shall Appoint be a Committee to Repair to the Said South Precinct in Brantry & Consider the Circumstances of the Several Parts thereof, the Scituation of the Meeting House there, And report to this Court at their Next May Session, Whether it be convenient & Accomodable to Remove the Said the Said[1] Meeting House as Petitioned for, And that in the Mean While the most Southern Inhabitants forbear & hereby are Restrained from any further Proceedings in Procuring Timber for Erecting an Other Meeting House, The Charges of the Committee to be born by the Said Precinct,

In Council; Read & Concurd; And

Ordered that William Tailer & Nathaniel Byfield Esqrs be joined in the Affair Above. [*Passed December* 2.

Legislative Records of the Council, xii., 246, 273.

House Journal, p. 43.

CHAPTER 231.

RESOLVE ALLOWING £26. 3. 6 TO SAML & NATHL JORDAN.

AN ACCOMPT of Capt Samll Jordan & Lieut Nathll Jordan for their Service in the Expedition to Penobscut, Amounting to the Sum of £26. 3. 6.

[Read and]

Resolved that the Sum of Twenty Six pounds three Shillings & Six pence be Allowed & paid out of the Publick Treasury to the Said Samll Jordan & Nathanl Jordan in full Discharge of the Within Accompt. [*Passed December* 2.

Legislative Records of the Council, xii., 274.

House Journal, p. 33.

Sic.

CHAPTER 232.

RESOLVE ALLOWING PAYMENT OF CAP^T SAM^L WRIGHTS MUSTER ROLL.

Legislative Records of the Council, xii., 274.

House Journal, p. 44.

A MUSTER ROLL of the Company in his Majesties Service on the Western frontiers under the Command of Capt Saml Wright, Containing an Accompt of wages due to the Said Company for their Service from June 11th to Novem^r 1724, Amounting to the Sum of £578. 13. 10 togather with their Subsistence the Said Time Amounting to the Sum of £273.

[Read, Accepted and]

Resolved that the Sum of Five hundred & Seventy eight Pounds thirteen Shillings & ten pence be Allowed & Paid out of the Publick Treasury to the Officers & Soldiers born on this Roll in full Discharge of the Wages thereof, And that the further Sum of two hundred & Seventy three pounds be Allowed & paid out of the Publick Treasury to the Said Capt Wright, to be by him paid to the Person or Persons that have Subsisted the Men in full Discharge thereof. [*Passed December 3.*

CHAPTER 233.

RESOLVE ALLOWING PAYMENT ON CAP^T JN^O GRAY'S MUSTER ROLL.

Legislative Records of the Council, xii., 275.

House Journal, p. 44.

A MUSTER ROLL of the Company in his Majesties Service Eastward Under the Command of Capt John Gray, Containing an Accompt of Wages due to the Said Company for their s^d Service from Sep^tr 28th 1723, to Novr 20th 1724, Amounting to the Sum of £868. 1. 8.

[Read, Accepted and]

Resolved that the Sum of Eight hundred Sixty three pounds four Shillings & Two pence[1] be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is due in full Discharge of the Wages thereof. [*Passed December 3.*

CHAPTER 234.

ORDER FOR MAKING A NEW TOWN OUT OF DEDHAM.

Legislative Records of the Council, xii., 263, 278.

Legislative Records of the Council, xii., 234. House Journal, p. 42. Province Laws, ii., 342, chap. 14.

PURSUANT to an Order of the Great & General Court bearing date Novr 12th 1724, the Committee Having Repaired to Dedham & taken a View of those Lands near the old Saw Mill in the South Part of the Said Town, petitioned for to be erected into a Township, Considered the Scituation of the Said Lands & the Circumstances of the Inhabitants there, Humbly Offer their Report as follows; That there is a Sufficient Quantity of Land within the Bounds petitioned for to be a Township, but that it will not be proper to Constitute them a Town until further Settlements are made, That therefore at Present they be Sett off as a Distinct & Separate Precinct, & Vested with Such Powers & Privileges as by Law are Allowed to Other Precincts, The Bounds to Extend from Wrentham Bounds by Dorchester line to Hawses Brook, Then that Brook to be the Bounds until you Come to Bubbling Brook, Then by Bubbling Brook Streight to Medfield Road, & by Medfield Road to Medfield Line, That Never the less Mr Ezra Morse who dwells

[1] The House Journal reads, £863. 14. 2.

on the South Side & Near unto Hawses Brook with his family & Estate be taxed unto the North Precinct, If he Continues to Desire it That the Inhabitants of the Said Precinct be Obliged within eighteen Months at their Charge to Build & finish a Suitable House for the Publick Worship of God on a Peice of Rising Ground, twenty Rods or thereabouts to the South West of Mr Thos Claps Dwelling House, where three Roads Meet, Which Peice of Ground is Said to belong to the Said Clap, Who offered the Committee to give it freely for the Use Above Mentioned: That they Provide as Soon as May be a Learned Orthodox Minister to Preach the Gospel to them, And to be freed from all Charges towards the Maintenance of the Present Minister of the Town of Dedham: That they Procure a School Master to Instruct their Youth in Writing & reading And So doing, to be exempt from all Charges towards the Schools in the Northern Precinct; That they be Allowed to Assess the Lands of Non Residents lying within the Said Precinct one peny per Acre towards the Charge of Building a Meeting House & Settling & Maintaining a Minister there, All Which is Humbly Submitted

In the Name and per Order of Committee

WM TAILER,

To Which Report was added an Accompt of the Committees Expence & Attendence on the Said Affair, Amounting to the Sum of £5. 13.

In Council; Read &

Ordered that this Report be Accepted, And that the South part of the Town of Dedham be Set off a Distinct Precinct According to the Bounds before Mentioned; And that the Inhabitants of the Said. Precinct pay the Committees Accompt, Amounting to the Sum of Five pounds & thirteen Shillings

In the House of Represents Read & Concurd, with the Amendments viz. That the Lands be erected into a Township (Instead of a Precinct) And that ye Petitioners have Leave to bring in a Bill to Erect the Said Lands into a Township Accordingly: Which was agreed to in Council. [*Passed December 3.*

CHAPTER 235.

VOTE FOR CALLING A TOWN MEETING IN HOLLISTON.

Resolved that Mr John Goulding a Principal Inhabitant of the Town of Holliston be & hereby is Impowered & Directed to Notify & Summon the Inhabitants of the Said Town duly Qualifyed for Voters to Assemble & Meet togather for the Chusing of Town Officers to Stand until the Next Annual Election According to Law. [*Passed December 3.*

Legislative Records of the Council, xii., 279.

House Journal, p. 49.

CHAPTER 236.

RESOLVE ON JNO FERNS PETITION IN REGARD TO WAGES OF HIS BROTHER LATE SOLDIER ON THE EASTERN FRONTIER.

A PETITION of John Fern of Lyn, Praying to be Impowered to receive the Wages due to his Brother Obadiah Fern Decd late a Soldier in the Eastern Frontiers, that so he may Pay the Debts due for Nursing. Attendence & Funeral Charges without the Charges of Administration

Read And

Legislative Records of the Council, xii., 280.

House Journal, p. 46.

Resolved that the Prayer of the Petition be granted, And that Mr Treasurer be Directed to Pay to the Petitioner What wages was due to the Said Obadiah Fern at his Decease, to be Applied to Defray the Charges of his Sickness & Funeral &c, as Mentioned in the Petition. [*Passed December 3.*

CHAPTER 237.

RESOLVE REFERRING TO ARREARS DUE FROM WATERTOWN TO THE ESTATE OF MR ANGIER.

Legislative Records of the Council, xii., 275.

Legislative Records of the Council, xi., 539. House Journal, p. 19 (June, 1723); p. 50. *Ante*, p. 457, chap. 66.

PURSUANT to a Second Order of the Great & General Court of the 16th of June Last, Impowering us the Subscribers a Committee to enquire, Who of the Collectors of the Salary of the late Mr Angier have received any Part of the Said Salary wch they Have not paid the Same, And what Particular Persons are in Arrears to his Estate & in What Sums, And Make Report upon the Whole, What may be proper for this Honble Court to do for the Relief of the Petitioners; Accordingly we Sent Notifications directed to Mr John Sterns & Mr John Saunderson two of the Principal Inhabitants who were best Acquainted with this Affair, Desiring them to Notify the Several Constables & Collectors (now living) that have been Concerned in Collecting the Several Yearly Salarys Granted to the Late Mr Angier to Meet us at Watertown on the Twentieth of July, & that they also give us their Assistence so as to Make Some proper Report as Above Directed: Having met Several Times at Watertown to Consider on this Affair, There being Present the Said John Sterns, John Saunderson; Constable Simon Tayntor, & Constable John Cutting with a Considerable Number of the Inhabitants of the Said Town being present, We began with the first five Years, Namely 1697, to 1701, Inclusive, But no list for those five Years Could be Produced by either Party, Only a Settlement made between Mr Angier & Deacon Morse, & by those Settlements there was due to Mr Angier £56. 14. 10 Agreeable to our former Report, but we can not Understand there was any Money in any Collectors Hands: We proceeded from the Year 1701 to the Year 1707 Inclusive, being Seven Years, We had Copys of Lists for those Years with Some of the Originals, We have Drawn an Accompt from those Lists of those persons who Stand Uncross'd, Which Amounts, as in the Accompt herewith presented to £44. 10. 10, Mr Sterns Informs us, That there was a Committee Appointed to Settle with Mr Angier for those Seven Years, And the Said Sterns being at that Time Clerk of that Society, did Assist in that Affair, And, to the best of his Remembrance there was due to Mr Angier for those Seven Years Eleven Pounds, The Reason he gave Why no More was due, was that When they made the Rate for Payment of Mr Angiers Salary they Always made it for more than the Sum Agreed for to Make good the Abatements & bad Debts, as We Reported formerly; & for those we can find no Money in any Collectors Hands: for the Year 1709, We find that Accompt Ballanced; For the Year 1710, Mr Simon Taynter was Constable, He has given us a List of those Persons which are in Arrears, Amounting to £10. 12. 10, with fourteen Shillings & four Pence Money recd & is now in his Hands, Which Makes £11. 7. 2.

For the Year 1711, Mr John Cutting was Constable, we have a Copy of his List, And there Remains unpaid on Said List £24. 18. 3, But that no more than the Sum of £20. 11. 1 is due to Mr Angier for the Reason Aforesd And no Money in the Said Cuttings Hands.

For the Year 1712, & 1713 James Morse Decd was Collector for those

two Years, And by Settlements made in Said Morses Books, & by What appears by other Vouchers, We find due to Mr Angier for those two Years £14. 10. 7, And we Can not find any money in sd Morses Hands, Which he has not paid, So that the Whole of those Years Amounts to £114. 3 So We Cannot vary much from our former Report relating to the Ballance due to Mr Angier, Except Some Articles in two of the Original Lists, Which are Uncross'd, & not in Mr Angiers Lists, with Some other Abatements, which we have Allowed, Amounting to Eleven pounds fifteen Shillings & five pence, Which being deducted from the Aforesd Sum of £114. 3. Makes the Ballance due in favour of Mr Angier the Sum of one hundred & two pounds eight Shillings & five pence; A List of those Persons who are in Arrears being herewith Presented,

Those Gentlemen of Mr Angiers Precinct very much insist on Two things to Avoid the Payment of this Ballance; The first is that Mr Angier did not Keep a fair Accompt, And that he has Omitted Giving Credit to Sundry Persons who have Paid their Rates; This Objection Seems to be Supported in Some Measure, For that Several Persons are found to be Cross'd in two Original Lists, Who Stand Uncross'd in those produced by Mr Bowman, as before Observed: The Other Objection is, That in as Much as the Town in General did Agree with Mr Angier in his first Settlement, Therefore he Ought to be paid his Arrears by the Town in General, Especially for the first five years; we would Observe upon this, That the Several Votes of the Town upon which this Objection is Grounded togather with the General Courts Order, relating to the Maintenance of Mr Angier have not Come under our Consideration; Not Knowing that this was intended to be part of our Commission. All which is humbly Submitted by

JONATHAN DOWSE
JONATHAN REMINGTON
CHARLES CHAMBERS

Read, And

Resolved that So far as it appears to this Court the Arrears due to the Estate of the Said Mr Angier, from the Precinct whereof he was & Died Minister, Amount to the Sum of One hundred, & two pounds eight Shillings and five pence, And the Rateable Inhabitants of the Said Congregation or within the Said Precinct ought by Law to Discharge & pay the Same to the Said Executors; And to the end that the Inhabitants of the Said Precinct or Congregation may be reimbursed the Sum afore Said (So far as the Same will Amount.) It is further

Resolved & *Ordered* by this Court that the Inhabitants of the Said Precinct or Congregation or Such Committee as they Shall Choose for that Purpose be and they are hereby fully Authorized & Impowered in any Proper Method in the Law to recover all Such Sums of Money as are or Justly may be Due from any of the Collectors of and for the Said Precinct or any of the Inhabitants of the Said Precinct or Congregation (their Executors or Administrators in Case of Death,) as Shall appear upon any List or Lists committed from Time to Time to any of the Constables of Watertown, During the Ministry of the Said Mr Angier, & for the Gathering in his Yearly Rate or Maintenance. [*Passed December 4.*

CHAPTER 238.

ORDER ON COMMTTES REPORT FOR A NEW PRECINCT IN CHELMSFORD.

Legislative Records of the Council, xii., 278.

Legislative Records of the Council, xii., 243. House Journal, p. 55. *Infra*, chap. 239.

THE COMMITTEE appointed to Repair to the Town of Chelmsford, And view the Westerly half part of the Said Town, & Consider the Circumstances thereof, & of the Inhabitants, Whether it be Convenient to Erect the Said Lands into a Precinct, Report thereon as follows; viz

We having first Notified the Towns of Chelmsford & Littleton of this Order of Court, Who appeared by their Agents, And having view'd the Lands petitioned for, & heard the pleas & Allegations of all Parties Concerned & Considered the Circumstances of the Whole Affair, are humbly of Opinion, That the Prayer of the Petition be granted, That the Westerly half Part of the Lands in Said Chelmsford be Sett off as a Separate Precinct, And that a Meeting House be erected there, as Near the Center as may be & finished within Two Years next Ensuing at the Cost of the Whole Town: All which is Submitted by Spencer Phips In the Name & by order of the Committee Novr 27. 1724

Read &

Ordered that this Report be Accepted & that the Westerly part of the Town of Chelmsford be Sett off a Separate Precinct, And upon the Inhabitants Erecting. a Meeting House for the Publick Worship of God & Providing a learned orthodox Minister to Reside Among them, they be Exempted from paying any thing to the Support of the Ministry in the other part of the Town as well as in Littleton, The Said Meeting House to be built at the Charge of the New Precinct, Saving that the Other Precinct is to pay one hundred pounds towards the Charge of the Said Meeting House, One half in May Next, the other Half in October following; PROVIDED alwaies that the Salary of the Revd Mr Stoddard be no ways Diminished but made good by the other Precinct

And It is further

Ordered that the Inhabitants of the Westerly Part of the s^d Town pay the Charge of the Committee, Amounting to Thirteen Pounds & eight pence. [*Passed December 4.*

CHAPTER 239.

ORDER FOR RUNNING THE DIVISIONAL LINE IN CHELMSFORD.

Legislative Records of the Council, xii., 280.

House Journal, p. 55. *Supra*, chap. 238.

A PETITION of Joseph Underwood & Jonas Prescot in Behalf of the Western Inhabitants of Chelmsford. Praying that the Committee lately Sent to Chelmsford (or Some other Suitable Persons) may be Appointed to run a Divisional Line between the two parts or Precincts in Chelmsford; So as to Divide the Town in the Middle by proper Meets & Bounds.

Read &

Ordered that the former Committee (or any three of them) with a Skilfull Surveyor run the Divisional Line between the Two parts of the Town of Chelmsford According as is Proposed in this Memorial; And make Report thereof to this Court for their Acceptence at the Session in May next, & that the Inhabitants of the Westerly Part of the Said Town pay the Charge of running the Said Line. [*Passed December 4.*

CHAPTER 240.

RESOLVE ALLOWING £3. 10. 6 TO JOS: MARION.

AN ACCOMPT of Joseph Marion of writing done for the Publick to this Time, Amounting to the Sum of £3. 10. 6.

[Read and]

Resolved that the Sum of Three Pounds Ten Shillings & Six pence be Allowed & paid out of the Publick Treasury to the Accomptant Jos: Marion in full Discharge thereof. [*Passed December 4.*

Legislative Records of the Council, xii., 281.

House Journal, p. 51.

CHAPTER 241.

RESOLVE ALLOWING 5/ TO EBE^R ELLIS.

AN ACCOMPT of Ebenezer[1] Ellis of Horse Hire, Amount^s to fifteen Shillings

[Read, and]

Resolved that the Sum of five Shillings be Allowed & Paid out of the publick Treasury to the Accomptant Eben^r Ellis in full Discharge thereof. [*Passed December 4.*

Legislative Records of the Council, xii., 281.

House Journal, p. 51.

CHAPTER 242.

RESOLVE ALLOWING 30/ 6 FOR EBEN^R TAYLOR.

AN ACCOMPT of Ebenezer Taylour for Midicines & Attendence on Jabez Davis a Sick Soldier, Amounting to the Sum of £1. 10. 6.

[Read and]

Resolved that the Sum of Thirty Shillings & Six pence be Allowed & paid out of the Publick Treasury to Eleazer Tyng Esqr to be by him Paid to the Said Ebenezer Taylour in full Discharge of the Said Accompt. [*Passed December 4.*

Legislative Records of the Council, xii., 281.

House Journal, p. 50.

CHAPTER 243.

RESOLVE ALLOWING £33 TO SHERIFF WINSLOW.

AN ACCOMPT presented by Edward Winslow Esqr Sheriff of the County of Suffolk, for Sending Tax Acts & Proclamations &c, into ye other County's Amounting to the Sum of £45. 7. 6.

[Read, Accepted and]

Resolved that the Sum of thirty three pounds[2] be Allowed & paid out of the publick Treasury to Edward Winslow Esqr in full Discharge of this Accompt. [*Passed December 4.*

Legislative Records of the Council, xii., 281.

House Journal, p. 49.

[1] The House Journal reads, "*Edward.*"
[2] The House Journal reads, £23.

CHAPTER 244.

ORDER GRANTING TO THE ENGLISH INHABITANTS AT PUNCAPAUG LIBERTY TO BUY INDIAN LANDS.

Legislative Records of the Council, xii., 281.

House Journal, pp. 55, 56. *Ante*, p. 299, chap. 29.

A PETITION of Joseph Tucker, Timothy Jones, Joseph Morse & Divers others the English Inhabitants of Puncapaug, Shewing that they Have held the Lands they now Dwell on by Leases from the Indian Proprietors, W^ch^ the Indians are willing to Sell Absolutely to the Petitioners, as by the Said Indians Petition to this Court may appear, And therefore praying that the Court would give them Liberty to Purchase their Lands & Tenements they now dwell on of the Said Indian Proprietors for Such Valuable Consideration as was Reported by a Committee of this Court, or upon Such Other Terms as this Court Shall Judge Reasonable.

In Council; Read &

Ordered that the Petitioners; viz the English Tenants or Leassees at Puncapaug have Liberty, And they are hereby Allowed to Buy out the Reversion of Such Lands as they have upon Lease, or turn their Estates into a fee Simple, by good Deeds of Release or Quit Claim from the Indian Proprietors of Puncapaug upon Such Terms or upon Such a Valuable Consideration, as a Committee to be Appointed by this Court Shall judge Reasonable The Money raised by Such Deeds of Confirmation to be received by the Committee in Order to be Applied for the Use of the Indians of Puncapaug in Such Manner as this Court Shall Order; PROVIDED also that the Said Committee approve the Respective Deeds of Confirmation from the Indians to the English, And further,

Ordered that Nathl Byfield & Paul Dudley Esq^rs^ with Such as the Honb^le^ House of Represent^s^ Shall appoint be the Committee for the Affair Aforesaid: In the House of Represent^s^ Read & Concurd &

Ordered that John Quincy & Jonathan Remington Esq^rs^ & Mr Ebenezer Stone be joined with the Committee for the Affair Aforesaid. [*Passed December 4.*

CHAPTER 245.

RESOLVE ALLOWING £4. 18. 9 TO ROB^T^ FORRESTER.

Legislative Records of the Council, xii., 282.

House Journal, p. 51.

AN ACCOMPT presented by Robert Forrester of work done at the Province House, In which his Honour the Lieut. Govern^r^ Dwells, Amounting to the Sum of £4. 18. 9.

[Read, and]

Resolved that the Sum of four Pounds eighteen Shillings & Nine pence be Allowed & paid out of the Publick Treasury to Robert Forrester the Accomptant in full Discharge thereof. [*Passed December 4.*

CHAPTER 246.

RESOLVE ALLOWING £29. 7. 3 TO DR GEORGE JACKSON.

Legislative Records of the Council, xii., 283.

House Journal, p. 49.

AN ACCOMPT presented by Dr George Jackson of Midicines and Attendence on Sick & Wounded Soldiers in the Western part of the County of York, Amounting to the Sum of £38. 3.

Read [Accepted] &

Resolved that the Sum of Twenty Nine Pounds Seven Shillings & three pence be Allowed & paid out of ye Publick Treasury to Dr George Jackson in full Discharge of the Said Accompt. [*Passed December 4.*

CHAPTER 247.

RESOLVE ON JOSIAH WINSLOWS PETITION IN REGARD TO AN APPEAL FROM A JUDGMENT.

A PETITION of Capt Josiah Winslow, Josiah Winslow Junr & Elisha Blackman, Shewing that whereas they were Impowered by an Act of this Court to Contest in the Law the Validity of a Rule of Court by them entered into &c, They did Accordingly file their Reasons of Appeal in Proper Season But in the Direction thereof there was a Mistake as to the Time of the Courts Sitting, Upon Which their Reasons were Quash'd by the Superiour Court, And they are Again Left Destitute of Remedy without the Interposition of this Court, And therefore Praying that they may be Enabled by a Resolve of this Court to Contest at the Next Superiour Court to be Holden for the County of Bristol, the Validity of the Said Rule of Court, the Award of the Referrees & the Judgement of the Court thereupon in the Same Manner they were Impowered by the Afore mentioned Act, pass'd at ye Session held in October 1723, They filing their Reasons of Appeal & Notifying the Adverse Party in Season, as is Provided in the Said Act,

Legislative Records of the Council, xii., 282.

House Journal, p. 57. Province Laws, vi., 156, No. 77.

Read &

Resolved that the prayer of this Petition be Granted. [*Passed December 5.*

CHAPTER 248.

RESOLVE ALLOWING PAYMENT OF L^T JABEZ FAIRBANKS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service on the Western frontiers under the Command of Lieut. Jabez Fairbanks Containing an Accom^t of Wages due to them for their Said Service from the fourteenth of June 1724 to the 19th of August following, Amounting to the Sum of £188. 13 Including the Subsistence of the Said Company

Legislative Records of the Council, xii., 283.

House Journal, p. 51.

Read [Accepted] &

Resolved that the Sum of one hundred & Eighty eight pounds & thirteen Shillings be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll, & the person or Persons, Who have Subsisted them in full Discharge of the wages Wages[1] & Subsistence thereof. [*Passed December 5.*

CHAPTER 249.

RESOLVE ALLOWING PAYMENT OF SERG^T EPHRAIM HILDRETHS MUSTER ROLL.

A MUSTER ROLL of the Scout in his Majesties Service at Dracut under the Command of Serg^t Ephraim Hildreth, Containing an Accompt of Wages due to them for their Said Service from July 5th to Novr 11th

Legislative Records of the Council, xii., 284.

[1] *Sic.*

House Journal, p. 52.

1724, Amounting to the Sum of £143. 18. 10 & £70. 8. 6 for their Subsistence

Read [Accepted] &

Resolved that the Sum of One hundred & forty three pounds eighteen Shillings & Ten pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll, in full Discharge of the wages thereof, And that the further Sum of Seventy pounds eighteen Shillings & Six pence[1] be Allowed & paid out of the publick Treasury to Serg^{t}[2] Ephraim Hildreth to be by him repaid to the person or Persons to whom the Same is Respectively due in full Discharge of the Subsistence thereof. [*Passed December 5.*

CHAPTER 250.

RESOLVE ALLOWING PAYMENT OF SERG^{T} ISAAC BRADLEYS MUSTER ROLL.

Legislative Records of the Council, xii., 284.

House Journal, pp. 51, 52.

A MUSTER ROLL of the Scout in his Majesties Service at Haverhill under the Command of Serg^{t} Isaac Bradley, Containing an Accompt of Wages due to them for their Service from July 7th to Novem^{r} 22^{d} 1724, Amounting to the Sum of £234. 14. 7 & £114. 13. 7 for their Subsistence

Read [Accepted] &

Resolved that the Sum of Two hundred & thirty four pounds thirteen Shillings & Seven pence[3] be Allowed & Paid out of the publick Treasury to the Officers & Soldiers born on the within Roll to Whom the Same is due in full Discharge of the wages thereof, And that the further Sum of one hundred & fourteen pounds thirteen Shillings & Seven Pence be Allowed & paid out of the publick Treasury to Mr Thomas Hoit to be by him repaid to the person or Persons to Whom the Same is Respectively due in full Discharge of the Subsistence thereof. [*Passed December 5.*

CHAPTER 251.

RESOLVE ALLOWING PAYMENT OF SERG^{T} AARON WILLARDS MUSTER ROLL.

Legislative Records of the Council, xii., 284.

House Journal, p. 51.

A MUSTER ROLL of the Scout in His Majesties Service at Groton under the Command of Serg^{t} Aaron Willard, Containing an Accompt of Wages due to them for their Service from July 14th to Sep^{t} 28th 1724, Amounting to the Sum of £78. 16. 8 togather with £38. 10 for Subsistence

Read [Accepted] &

Resolved that the Sum of one hundred & Seventeen pounds Sixteen Shillings & eight pence[4] be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll, & the person or Persons that have Subsisted them in full Discharge of the wages & Subsistence thereof. [*Passed December 5.*

[1] The House Journal reads, £70. 8. 6.
[2] The House Journal reads, "Capt."
[3] The House Journal reads, £234. 14. 7.
[4] The House Journal agrees as to this sum; but the warrant, according to Executive Records of the Council, viii., 127, was for £117. 6. 8, which is the total of the sums claimed.

CHAPTER 252.

RESOLVE ON ANN THOMSONS PETITION IN REGARD TO THE WAGES OF HER SON, LATE A SOLDIER.

A PETITION of Ann Thomson, Praying that She may be impowered to receive the wages due to her Son James Thomson Dec[d] in Coll. Harmans Muster Roll, She having Several Small Children to Bring up.

Legislative Records of the Council, xii., 284.

Read &

House Journal, p. 46.

Resolved that the Treasurer be Impowered & Directed to Pay to Capt Peter Newell what Wages was due to the Said James Thomson at his Decease, The Said Newell to be Accountable to the legal Represent[s] of the Said Thomson for the Sum he Shall receive. [*Passed December 5.*

CHAPTER 253.

RESOLVE ALLOWING £3. 4. 3 TO CAP[T] SAM[L] WRIGHT.

A MEMORIAL of Cap[t] Sam[l] Wright, Setting forth that Serg[t] Edw[d] Hartwell in Making up his last Muster Roll, Omitted entering John Wheelar, Philip Gleason & Josiah Bennet for ten Days Wages & Subsistence due to them for their Service, Praying that the Said Wages & Subsistence may be now Allowed to the Above Mentioned Persons.

Legislative Records of the Council, xii., 285.

House Journal, p. 51.

Read [Accepted] &

Resolved that the Sum of Three pounds four Shillings & threepence be Allowed & paid out of the publick Treasury to Cap[t] Sam[l] Wright to be by him Repaid to the Said John Wheelar, Philip Gleason & Josiah Bennet in full for the Ten days' Service Mentioned in the petition. [*Passed December 5.*

CHAPTER 254.

VOTE ABOUT THE ALLOWANCE OF QUEENS ARMS.

WHEREAS the General Court at their Sessions in May Last pass'd a Resolve, That upon any of the Commission Officers, Sergeants or Clerks of the Companies on the Late Canada Expedition 1711, Making Oath before M[r] Treasurer that the Men born on the Rolls of their Respective Companies have returned their Arms to the Province, They or their lawfull Representatives Shall receive fifty Shillings in Lieu of the Arms &c, out of the Treasury, And there being Several Soldiers Deceased & having no Other Estates to Administer upon but the Said fifty Shillings; To prevent the Charge of Administration,

Legislative Records of the Council, xii., 285.

House Journal, p. 49. *Ante*, p. 468, chap. 100.

Resolved that upon a Certificate from a Justice of the Peace or Town Clerk to the Treasurer, That A. B, is the Next a Kin to y[e] Person Dec[d] In Such Case Upon their or their Order or Substitute Producing Such Certificate, they Shall receive the fifty Shillings out of the Treasury;

AND Whereas the Company of Cap[t] Joseph Brown are Kept from receiving their fifty Shillings for want of an Officer Swearing to the Roll, Said Captain being Infirm & not able to Come to Boston, And Some of the Officers being Dead, For Remedy whereof

Resolved that Cap[t] Jos: Brown or any Surviving Officer of his Com-

pany making Oath as Aforesaid before a Justice of the Peace with in the County where they dwell shall enable the Treasurer to pay each Soldier his fifty Shillings. [*Passed December 5.*

CHAPTER 255.

RESOLVE ALLOWING £10 TO SAM^L JORDAN.

Legislative Records of the Council, xii., 286. Mass. Archives, lxxii., 198.

Mass. Archives, lxxii., 196. House Journal, p. 48.

A PETITION of Capt Saml Jordan, Praying to be reimbursed & Allowed out of the publick Treasury the Sum of Nineteen pounds & fifteen Shillings by him Expended on Doctors in his Sickness, While in the publick Service in the Year 1719, & 1722, as may. appear by the vouchers, Offered with this Petition

Read and Accepted and

Resolved That the Sum of Ten pounds be allowed and paid out of the publick Treasury to Mr Samuel Jordan in full discharge of the Charges Mentioned in the petition. [*Passed December 5.*

CHAPTER 256.

ORDER GRANTING JABEZ CORBINS PETITION IN REGARD TO AN APPEAL FROM A JUDGMENT.

Legislative Records of the Council, xii., 286.

House Journal, pp. 57, 58.

A PETITION of Jabez Corbin of Woodstock, Shewing that Having appealed from a Judgement obtained against him at the Inferiour Court of Common Pleas for the County of Suffolk By Benjamin Payson of Roxbury & Others for the Possession of 1,250 Acres of Land &c, By the Neglect of a Person by Whom he Sent a Letter to his Attorney, His Reasons of Appeal were not filed in Season, & So the Said Payson upon his Complaint Obtained Confirmation of the Said judgement And therefore praying that this Court would Impower him to have a Tryal of his Appeal at the Next Superiour Court, & that in the Mean Time Execution may be Stayed, The Petitioner to file his Reasons fourteen days before ye Court

Read &

Ordered that the prayer of this Petition be granted, the Petitioner filing his Reasons of Appeal as Set forth in the petition & Giving Timely Notice thereof to the Adverse Party. [*Passed December 5.*

CHAPTER 257.

ORDER ON ROWLAND NORTONS PETITION IN REGARD TO THE LOSS OF A GUN.

Legislative Records of the Council, xii., 286.

House Journal, p. 46.

A PETITION of Rowland Norton a Soldier in the Service Eastward Praying that he may not be Charged with one of the Province Arms, Which he Accidentally drop'd out of the Whaleboat into the River,

Read &

Ordered that the Petitioner be not Charged with the Value of the Said gun, It being Accidentally lost, while he was in the Service and not through his Neglect. [*Passed December 5.*

CHAPTER 258.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF Y^E SLOOP GEORGE DAVID FRANKLYN MASTER.

A MUSTER ROLL of the Sloop George (a Transport in his Majesties Service) David Franklyn Master, Containing an Accompt of Wages due to the Said Master & Company for their Service from Novr 3^d 1723 to Novr 14th 1724 & the Hire of the Said Sloop the Said Time, Amounting in All to the Sum of £445. 10. Read [Accepted] &

Resolved that the Sum of four hundred & thirty Six pounds ten Shillings be Allowed & paid out of the publick Treasury to the Said David Franklyn to be by him repaid to the Persons to Whom the Same is due in full Discharge of the wages & Sloop Hire of this Roll. [*Passed December 5.*

Legislative Records of the Council, xii., 287.

House Journal, p. 31.

CHAPTER 259.

RESOLVE ON A QUEST: REFERRING TO MR EXPER: MAHEWS RATES.

THE QUESTION following was put upon the tax Act,

WHETHER the Revd Mr Experience Mayhew of Marthas Vineyard who is Settled in the Ministry of the Gospel to the Indians there & Attends the Said Work be a Settled Ministry within the Meaning of the Said Act, & So ought to be Exempted from paying any Tax as to his Poll & the estate in his Own Hands & under his own Management:

Resolved in the Affirmative. [*Passed December 7.*

Legislative Records of the Council, xii., 286.

House Journal, p. 59.

Province Laws, i., 167.

CHAPTER 260.

RESOLVE ALLOWING £5. 15 TO D^R JN^O PRESCOT.

AN ACCOMPT presented by Dr Jonathan Prescot of the Cure of William Cummins of a Wound he received of the Indian Enemy While in the Service Amounting to the Sum of £5. 15.

[Read, and]

Resolved that the Sum of five pounds & fifteen Shillings be Allowed & Paid out of the publick Treasury to the Said Jonathan Prescot in full Discharge of the Within Accompt. [*Passed December 7.*

Legislative Records of the Council, xii., 287.

House Journal, p. 55.

CHAPTER 261.

RESOLVE ALLOWING £12. 9 TO MAJ^R JOS: HAMMOND.

AN ACCOMPT Presented by Maj^r Joseph Hammond, of Marching & Subsisting of Soldiers, Sending Expresses &c, Amounting to the Sum of £13. 4. 5.

[Read, Accepted and]

Resolved that the Sum of Twelve pounds & Nine Shillings be Allowed & paid out of the Publick Treasury to Major Jos: Hammond to be by him paid to the person or Persons to Whom the Same is respectively due in full Discharge of the Said Accompt. [*Passed December 7.*

Legislative Records of the Council, xii., 287.

House Journal, p. 48.

CHAPTER 262.

RESOLVE ALLOWING £16 TO L^T JOS: DINMOCK.[1]

Legislative Records of the Council, xii., 287.

House Journal, p. 53.

A PETITION of Lieut Jos: Dinmock, Shewing that he has been at the Charge of Fifteen Shillings per Week from the Time of his being Wounded by the Indian Enemy, & is now at the Same Expence for his Support, & not likely to be Cured of his wound, Praying that this Court would Consider the same, & Make him Some further & proper Allowance for the Discharge of his Said Expence

Read [Accepted] &

Resolved that the Sum of Sixteen Pounds be Allowed & paid out of the publick Treasury to the Petitioner Joseph Dinmock, for his Expence & Loss of Time in full until the Session of this Court in May Next. [*Passed December 7.*

CHAPTER 263.

RESOLVE ALLOWING £13. 3 TO JOHN BICKMORE.

Legislative Records of the Council, xii., 288.

House Journal, p. 53.

A PETITION of John Bickmore of Dorchester, Shewing that being in the Publick Service under Capt William Cock in a Schooner whereof the Petitioner was Part Owner in a Skirmish with the Indians at Mount Desert. he was wounded in both his thighs, that he has been Put to great Charge in Doctors & Attendence, And lost his Time by his Wounds, And therefore Praying Some Suitable Allowance from this Court in Consideration thereof.

Read [Accepted] &

Resolved that the Sum of thirteen Pounds & three Shillings be Allowed & paid out of the publick Treasury to the petitioner John Bickmore in Consideration of the Misfortune of his Wounds, Nursing & Attendence &c, And that he be Also Discharged from any Demands that may be Made on him by Dr Ebenezer Allen for the Cure of his Wound. [*Passed December 7.*

CHAPTER 264.

RESOLVE ALLOWING £10. 19. 2 TO MR W^M PYNCHON.

Legislative Records of the Council, xii., 288.

House Journal, p. 54.

AN ACCOMPT presented by Mr William Pynchon of the Charge of Subsisting, Connecticut Soldiers at Springfield, Amounting to the Sum of £10. 19. 2.

[Read, Accepted and]

Resolved that the Sum of Ten Pounds Nineteen Shillings & Two pence be Allowed & paid out of the publick Treasury to the Said Mr William Pynchon, to be by him repaid to Whom the Same is Respectively Due in full Discharge of the within Accompt. [*Passed December 7.*

[1] In the House Journal and State Library copy, Legislative Records of the Council, xii., 260, this name is written "Dimmock."

CHAPTER 265.

RESOLVE ALLOWING £63. 18 ON ACC° OF SUBSISTING CONNECTICUT SOLDIERS AT WESTFIELD.

AN ACCOMPT presented by Capt John Ashley of the Charge of Subsisting the Connecticut Soldiers under the Command of Coll. Goodrick, During their being at Westfield Amounting to the Sum of £63. 18.

Legislative Records of the Council, xii., 288.

[Read, Accepted and]

House Journal, p. 58.

Resolved that the Sum of Sixty three Pounds eighteen Shillings be Allowed & paid out of the Publick Treasury to Capt John Ashley to be by him paid to the person or Persons that Subsisted the Said men & Horses to Whom the Same is Respectively due in full Discharge thereof. [*Passed December* 7.

CHAPTER 266.

RESOLVE ALLOWING £15 TO CAP^T KELLOG.

A PETITION of Capt Jos: Kellog Shewing, that he undertook Two Journeys to Albany & into the Indian Country, In which he endured much Hardship for the Service of the Government Praying an Allowance for his extraordinary Charge & the Damage come to his Cloaths & furniture thereby.

Legislative Records of the Council, xii., 288.

House Journal, p. 53.

Read [Accepted] &

Resolved that the Sum of fifteen Pounds be Allowed & paid out of the Publick Treasury to the Petitioner in full Satisfaction of the things Mentioned in the Petition. [*Passed December* 7.

CHAPTER 267.

RESOLVE ALLOWING £2. 16 TO JN° GRIFFIN.

AN ACCOMPT. Presented by John Griffin of Bradford, for Ferrying of Cp^t Daniel Epes's Troop twice over Merrimack River. When they were in the Publick Service Amounting to the Sum of Two pounds Sixteen Shillings.

Legislative Records of the Council, xii., 289.

House Journal, p. 52.

[Read, and]

Resolved that the Sum of Two pounds & Sixteen Shillings be Allowed & paid out of the Publick Treasury to the Accomptant John Griffin in full Discharge thereof. [*Passed December* 7.

CHAPTER 268.

RESOLVE ALLOWING £103. 13. 1 ON ACC° OF REPAIRS OF CASTLE WILLIAM.

AN ACCOMPT presented by Coll. William Tailer of Disbursements in the Repairs of his Majesties Castle William by Order of the General Court The Ballance thereof being the Sum of £103. 13. 1.

Legislative Records of the Council, xii., 289.

House Journal, pp. 45, 53. *Ante*, p. 461, chap. 79.

[Read and]

Resolved that the Sum of one hundred & three pounds thirteen Shillings & one peny be Allowed & Paid out of the Publick Treasury to the Honble William Tailer Esqr in full Discharge of this Accompt. [*Passed December 7.*

CHAPTER 269.

RESOLVE ALLOWING PAYMENT ON COLL. ELEAZER TYNGS MUSTER ROLL.

Legislative Records of the Council, xii., 290.

House Journal, p. 52.

A MUSTER ROLL of the Company in his Majesties Service on the Western Frontiers under the Command of Coll. Eleazer Tyng, Containing an Accompt of Wages due to them for their Service from June 26th 1724, to Novr 11th following, Amounting to the Sum of £517. 1. 7 & £232. 2. 1½ for Subsistence

[Read, Accepted and]

Resolved that the Sum of five hundred & Sixteen pounds ten Shilling & Two pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on this Roll in full Discharge: of the Wages thereof, And that the further Sum of Two hundred & thirty two pounds, two Shillings & one peny half peny be Allowed & paid out of the publick Treasury to Coll. Eleazer Tyng to be by him repaid to the person or persons that have Subsisted the Said Men in full Discharge of the Subsistence thereof. [*Passed December 8.*

CHAPTER 270.

RESOLVE ALLOWING PAYMENT ON CAP^T PETER OLIVERS MUSTER ROLL.

Legislative Records of the Council, xii., 290.

House Journal, p. 54.

A MUSTER ROLL of the Company in his Majesties Service on the Eastern Frontiers under the Command of Capt[1] Peter Oliver, Containing an Accompt of Wages due to them for their Said Service from the 4th of Novem^r 1723, to the 29th of Novem^r 1724, Amounting to the Sum of £901. 0. 7.

[Read, Accepted and]

Resolved that the Sum of eight hundred & Eighty Six Pounds eighteen Shillings & five pence[2] be Allowed & Paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll, to Whom the same is Respectively. due in full Discharge of the Wages thereof, Agreeable to the Committees Report. [*Passed December 9.*

CHAPTER 271.

RESOLVE ALLOWING PAYMENT OF SERG^T DOMINICK JORDANS MUSTER ROLL.

Legislative Records of the Council, xii., 291.

House Journal, p. 33.

A MUSTER ROLL of the Soldiers in his Majesties Service Eastward under the Command of Serg^t Dominicus Jordan, Containing an Accompt of Wages due to them for their Said Service from the 4th of Decem^r 1723 to the 2^d of Novr 1724, Amounting to the Sum of £208. 16. 6.

[1] The House Journal reads, "Lieut."
[2] The House Journal reads, £886. 18. 3.

[Read, and]

Resolved that the Sum of Two hundred & eight Pounds Sixteen Shillings & Six pence be Allowed & paid out of the publick Treasury to the Said Dominicus Jordan & the men born on the within Roll in full Discharge of the Wages thereof. [*Passed December 9.*

CHAPTER 272.

RESOLVE ALLOWING PAYMENT OF L^T JN^O MARCHES MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service on the Eastern Frontiers under the Command of Lieut John March, Containing an Accompt of Wages due to them for their Said Service from Sep^t 14th 1723, to Decem^r 1st 1724 Amounting to the Sum of £798. 6.

Legislative Records of the Council, xii., 291.

House Journal, p. 53.

[Read, Accepted and]

Resolved that the Sum of Seven Hundred & Ninety eight Pounds Six Shillings be Allowed & Paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is Respectively Due in full Discharge of the wages thereof. [*Passed December 9.*

CHAPTER 273.

RESOLVE ALLOWING PAYMENT OF SERG^T THO^S NEWHALLS MUSTER ROLL.

A MUSTER ROLL of the Soldiers in his Majesties Service on the Western frontiers under the Command of Serg^t Thos Newhall Containing an Accompt of Wages due to them for their Said Service from July 7th 1724, to the 30th of October following; Amounting to the Sum of £86. 3. 4 Togather with the Sum of £41. 14. 3 for the Subsistence of the Said Men.

Legislative Records of the Council, xii., 291.

House Journal, p. 58.

[Read, Accepted and]

Resolved that the Sum of Eighty Six pounds three Shillings & four pence be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the Within Roll in full Discharge of the Wages thereof, And that the further Sum of forty one pounds fourteen Shillings & three pence be Allowed & paid out of the publick Treasury to the Said Serg^t Newhall to be by him paid to the person or persons (to Whom the Same is Respectively Due) that have Subsisted the Said Men. [*Passed December 9.*

CHAPTER 274.

RESOLVE ALLOWING PAYMENT ON COLL THO^S WESTBROOKS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majesties Service Eastward under the Command of Coll. Thomas Westbrook, Containing an Accompt of Wages due to the Said Company for their Service from the 30th of August 1723, to the 30th of Novr 1724, Amounting to the Sum of £1,333. 11. 11.

Legislative Records of the Council, xii., 291.

House Journal, pp. 45, 52.

[Read, Accepted and]

Resolved that the Sum of one thousand three hundred & Seven Pounds five Shillings & Nine pence be Allowed & paid out of the Publick Treasury to Coll° Thomas Westbrook & the Other Officers & Soldiers born on the Within Roll to Whom the Same is Respectively due in full Discharge of the Wages thereof, Agreeable to the Committees Report. [*Passed December 9.*

CHAPTER 275.

ORDER FOR CALLING A TOWN MEETING IN WALPOLE.

Legislative Records of the Council, xii., 289.

House Journal, p. 66.

Ordered that Mr Ebenezer Fales a principal Inhabitant of the Town of of [1] Walpole be & hereby is Impowered & Directed to Notify And Summon the Inhabitants duly Qualified for Voters to Assemble & Meet togather togather[1] to Chuse Town Officers to Stand unto the Next Annual Election According to Law. [*Passed December 10.*

CHAPTER 276.

RESOLVE FOR EMITTING THE SUM OF £30,000 IN BILLS OF CREDIT, AND PROVIDING SECURITY. £5,000 IN MAY 1725; £5,000 IN MAY 1726; £5,000 IN MAY 1727; £5,000 IN MAY 1728.

Legislative Records of the Council, xii., 293.

House Journal, pp. 25, 26. Province Laws, i., 16; ii., 343. *Ante*, p. 504, chap. 207.

PURSUANT to the Direction in the Royal Charter in that Clause or Paragraph Impowering the General Court to Impose & levy proportionable & Reasonable Assessments Rates & Taxes,

Resolved that the Treasurer be & hereby is Impowered & Directed to Issue forth & Emit the Sum of Thirty Thousand Pounds in Bills of Credit on this Province for the Necessary Defence & Support of the Government & the Protection & Preservation of the Inhabitants thereof; That is to Say

Ten Thousand Pounds Drawn in Already by Taxes &c And the remai[1] Remaining Twenty Thousand pounds to be put into his Hands by the Committee for Making the Same to be Issued & Disposed of by Warrant under the Hand of the Governour or Commander In Chief for the Time being with the Advice & Consent of the Council,

Twenty Nine Thousand two hundred pounds Whereof Shall be applied for the Uses Intents & Purposes in this Resolve hereafter express'd viz, For the payment of all Grants Premiums & Stipends established by Law, for the Defraying & paying the Charges of Castle William & Other forts & Garrisons Transports, Muster Rolls of Soldiers & Sailors, Allowances. &c And All other Accompts of Charges Allowed And Pass'd on for payment by this Court,

And that the Sum of Eight Hundred pounds being the Residue & Remaining Part of the Said Sum of Thirty Thousand Pounds Shall be Applied to the payment of Expresses dispatched in the Service of this Government in the Recess of this Court togather with all Necessary unforeseen Charges that demand Prompt payment, Wch Shall Arise in the Recess of this Court as Aforesaid; PROVIDED Always that the Several Draughts made on the Treasurer aforesaid Shall express & Declare out of which of the Two Several Sums abovementioned the Money is to be paid: AND the Said Bills Shall pass out of the Treasury

[1] *Sic.*

at the Value therein Expressed equivalent to Money, & Shall be So taken & Accepted in all Publick Payments; AND that the Dutys of Impost & Excise togather with all other Publick Incomes Shall be a Fund & Security for the Annual Payment & Drawing in the Said Bills into ye Treasury So far as the Same will Reach: And as a further fund & Security for the Same, It is further

Resolved that there be & hereby is Granted to his Most Excellent Majestie for the Ends & Uses Aforesaid, & for no other Ends & Uses Whatsoever a Tax of Five thousand Pounds to be Levied upon Polls & Estates both Real & personal within this Province, According to Such Rules & in Such Proportion upon the Several Towns & Districts within the Same as Shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May One thousand Seven Hundred & twenty five, & Paid into the Treasury on or before the last day of Decem^r next after; And that the further Sum of five thousand pounds be Levied upon Polls & Estates both real & Personal within this Province according to Such Rules & in Such Proportion upon the Several Towns & Districts within the Same as Shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May One thousand Seven Hund^d & twenty Six, And paid into the Treasury on or before the Last day of Decem^r Next After; And that the further Sum of five Thousand Pounds be levied upon Polls & Estates both Real & Personal within this Province According to Such Rules And in Such Proportion upon the Several Towns & Districts within the Same as Shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May One thousand Seven Hundred & twenty Seven & Paid into the Treasury on or before the last day of Decem^r Next After;

And that the further Sum of Fifteen Thousand Pounds (being the remainder of the Aforesaid thirty thousand Pounds) be levied upon Polls & Estates both Real & Personal within this Province According to Such Rules & in Such Proportion upon the Several Towns & Districts within the Same as Shall be Agreed on And Ordered by the Great & General Court or Assembly of this Province at their Session in May One thousand Seven Hundred & twenty eight, & Paid into the Treasury on Or before the Last day of Decem^r Next after. [*Passed December 11.*

CHAPTER 277.

RESOLVE ALLOWING PAYMENT OF CAP^T SAM^L HINKS MUSTER ROLL.

A MUSTER ROLL of the Garrison in His Majesties Service at Fort Mary at Winter Harbour under the Command of Capt Saml Hinks, Containing an Accompt of Wages due to them for their Service from June 17th 1724, to the 8th of Novem^r following, Amounting to the Sum of £109. 5. 3.

Legislative Records of the Council, xii., 295.

House Journal, p. 63.

[Read, Accepted and]

Resolved that the Sum of one hundred & Nine Pounds five Shillings & three Pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is Respectively due in full Discharge of the Wages thereof. [*Passed December 11.*

CHAPTER 278.

RESOLVE ALLOWING PAYMENT OF L^T JN^O HARMANS MUSTER ROLL.

Legislative Records of the Council, xii., 295.

House Journal, p. 64.

A MUSTER ROLL of the Company in his Majesties Service Eastward Under the Command of Lieut. John Harman, Containing an Accompt of Wages due to them for that Service from the 15th of April 1724, to the 14th of May 1724, Amounting to the Sum of £57. 12. 8.

[Read, accepted and]

Resolved that the Sum of fifty Seven Pounds twelve Shillings & Eight Pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is Respectively Due in full Discharge of the Wages thereof. [*Passed December 11.*

CHAPTER 279.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF SLOOP MERRY MEETING CP^T THO^S SAUNDERS MASTER.

Legislative Records of the Council, xii., 295.

House Journal, p. 66.

A MUSTER ROLL of the Sloop Merry Meeting (a Transport in His Majesties Service) Capt Thomas Sanders Master, Containing an Accompt of Wages due to the Said Master & Company for their Service from June 13th 1724, to Novem^r 27th following, togather with the Hire of the Said Sloop the Said Time, Amounting in the Whole to the Sum of £240.

[Read, Accepted and]

Resolved that the Sum of Two Hundred & forty Pounds be Allowed & Paid out of the Publick Treasury to the Said Capt Thomas Saunders to be by him paid to the persons to Whom the Same is due in full Discharge of the Wages & Sloop Hire thereof. [*Passed December 11.*

CHAPTER 280.

RESOLVE ALLOWING PAYMENT ON CP^T JN^O PENHALLOWS MUSTER ROLL.

Legislative Records of the Council, xii., 295.

House Journal, p. 64.

A MUSTER ROLL of the Company in His Majesties Service Eastward under the Command of Capt John Penhallow, Containing an Accompt of Wages due to them for their Said Service from Decr 2^d 1723 to the 30th of Novem^r 1724, Amounting to the Sum of £761. 18. 3.

[Read, Accepted and]

Resolved that the Sum of of[1] Seven Hundred & fifty Seven Pounds fifteen Shillings & eight Pence be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on ye Within Roll, to Whom the Same is due (Agreeable to the Committees Report) in full Discharge of the wages thereof. [*Passed December 11.*

[1] *Sic.*

CHAPTER 281.

ORDER ON NATH^L OLIVERS PETITION PRAYING AN APPEAL FROM A JUDGMENT.

A PETITION of Nathaniel Oliver of Boston, Shewing that he Commenced his Action of Trespass at the Inferiour Court of Common Pleas for the County of Suffolk; Held in April Last against John Phillips of Marshfield for Ninety Pounds, for that the Said Phillips with his Sloop run on Board the Plantiff's open Boat, & Sunk her with her Lading, That Judgement went against the Plantiff for Costs, from which he Appealed but being Confined by Sickness, himself, & his Lawyer out of Town of Which he Knew not, he failed of filing his Reasons of Appeal, Whereupon the Defend^t obtained Confirmation at the Superiour Court of the former Judgem^t And Praying that he may be Impowered by this Court to bring forward his Appeal to the Next Superiour Court, And that Execution be Stayed in the Mean Time: Read &

Legislative Records of the Council, xii., 297.

House Journal, p. 68.

Ordered that the Petitioner Serve the Adverse Party with a Coppy of this Petition, That so he may give Answer thereto If he Sees Cause on the Second Wednesday of the Sessions of this Court in May Next, And that in the Mean Time Execution for Costs be Stayed. [*Passed December 11.*

CHAPTER 282.

ORDER ON PETITION OF DIVERS INHABITANTS OF SCITUATE IN REGARD TO COMMON LANDS.

A PETITION of Samuel Clap & Job Randall & Divers Other Inhabitants & Proprietors of the Town of Scituate, Shewing that Whereas there has been in ancient Times About four or five Thousand Acres for a Perpetual Common in Said Town, Many of the Inhabitants are now Labouring to Divide the Same into Small Shreds amongst the Inhabitants in General, Therefore Praying this Honb^le Court to Ratify & Confirm the Same for a Perpetual Common, not to be Divided at all; Read &

Legislative Records of the Council, xii., 297.

House Journal, p. 22.

Ordered that the petitioners Serve the Town of Scituate with a Copy of this Petition, that So they may may[1] give their Reasons (If any they have) on the Second Wednesday of the Next Session of this Court, Why the Prayer thereof Should Not be Granted. [*Passed December 11.*

CHAPTER 283.

ORDER ON THO^S DEBUKES PETITION FOR AN APPEAL FROM A JUDGMENT.

A PETITION of Thomas Debuke of Boston Victualler, Shewing that Saml Bascomb of Northampton Obtained Two Judgements against him at the Inferiour Court for the County of Hampshire held in August Last, from which Judgement the Petitioner Appealed to the Superiour Court; but his Attorney having in one of the Actions Misdirected the

Legislative Records of the Council, xii., 298.

House Journal, p. 68.

[1] *Sic.*

Reasons of Appeal, & in the Other Reasons Misrecited the Judgement appeal'd from the Court, Quash'd the Reasons in both Causes & Confirmed the former Judgements, And praying that he may be Impowered by an order of this Court to have a Tryal of his Appeal at the Next Sup^r Court for the Said County, And that Execution be Stayed in the Mean Time.

Read &

Ordered that the Petitioner Serve the Adverse Party with a Copy of this Petition, That So he give Answer thereto (If he See Cause) on the Second Wednesday of the Session of this Court in May Next, And that the Executions on the Judgements refer'd to in the Petition be Stayed in the Mean Time. [*Passed December 11.*

CHAPTER 284.

RESOLVE ON RUTLAND PETITION IN REGARD TO TAXES.

Legislative Records of the Council, xii., 299.

House Journal, p. 65.

A PETITION of the Select Men of the Town of Rutland, Praying that this Court would Impower the Inhabitants of the Said Town to Assess the Unimproved Lands within the Six Miles Square Sett off as the Settlers Part, towards Defraying the Charge of a Minister & release them from the Province Tax, Read &

Resolved that the Select Men of the Town of Rutland Shall be & hereby are fully Authorized & Impowered to Assess & Tax the Proprietors of the Sixty Lots in the Inhabited part of the Said Town (the Ministry, Ministers, & School Lots excepted) at one peny per Acre upon Each thirty Acres Home Lot & the Divisions thereof. Amounting in the Whole to Three hundred Acres each Lot & Division, And that the Tax be Appropriated for & towards the paying their Minister, The Same to be Continued annually during the Present Indian War, & that the Lands be Subjected to the Payment thereof, And that the Sum of Ten pounds at[1] their proportion to the Publick Tax for the Years 1723 & 1724, be remitted to the Said Town, & that the Said Town be freed from any further Province Tax, till the further Order of this Court. [*Passed December 11.*

CHAPTER 285.

RESOLVE ALLOWING £11. 5. 6 TO CP^T JN^O ASHLEY.

Legislative Records of the Council, xii., 299.

House Journal, p. 65.

AN ACCOMPT presented by Capt John Ashley of the Charge of Subsisting Several Indians of the five Nations, togather with Expresses Sent in the Publick Service, Amounting to the Sum of £11. 5. 6.

[Read, Accepted and]

Resolved that the Sum of Eleven Pounds five Shillings & Six pence be Allowed & paid out of the Publick Treasury to Capt John Ashley in full Discharge of this Accompt. [*Passed December 11.*

[1] *Sic*, for "as."

CHAPTER 286.

RESOLVE ALLOWING £3. 3 TO EDW^D CHILD.

A PETITION of Edward Child of Roxbury Son of Benj^a Child Decs^d Praying to be Allowed for a gun lost with his fathers Servant Ralph Paris, who was Drowned, whilst a Soldier in the Publick Service, And that he be Like wise Allowed the Charges of Burying the Said Paris, Amounting in all to the Sum of £3. 3.

Legislative Records of the Council, xii., 300.

House Journal, p. 65.

Read &

Resolved that the Sum of Three pounds three Shillings be allowed & paid out of the Publick Treasury to the Petitioner Edward Child for the Use of the Children of the Said Benj^a Child. [*Passed December 11.*

CHAPTER 287.

RESOLVE ALLOWING £30 TO MR BENJ^A DOOLITTLE.

A PETITION of Benjamin Doolittle Minister of Northfield Setting forth that his People are rendered uncapable of paying Punctually his Salary According to their Engagements by Reason of the War, & that the Soldiers in the publick Service are a great part of his Auditory, & therefore praying Some Allowance from this Court.

Legislative Records of the Council, xii., 300.

House Journal, p. 67.

Read & IN Answer to this Petition

Resolved that in Consideration of the Town of Northfields being Reduced to Low Circumstances by Reason of the Present Indian War, And a Number of Soldiers being Posted there for the Security & Defence of the the[1] Said Town, who are under the Ministry of the Petitioner,

That the Sum of Thirty Pounds be Allowed & paid out of the Publick Treasury to the Revd Mr Benj^a Doolittle for his better Support in the Ministry the Year Currant. [*Passed December 11.*

CHAPTER 288.

RESOLVE ALLOWING £15 BESIDES £5 PER ANNUM TO HUGH PIKE.

Resolved that the Sum of fifteen Pounds be Allowed & paid out of the publick Treasury to Hugh Pike of Newbury, over & above a Stipend of five Pounds per Annum, in Consideration of the Wounds he formerly received in the Service of the province. [*Passed December 11.*

Legislative Records of the Council, xii., 301.

House Journal, p. 65.

CHAPTER 289.

RESOLVE ALLOWING £14. 15 TO ROWLAND DYKE.

AN ACCOMPT presented by Rowland Dike of Entertainment given to the Indians of the Five Nations lately Arrived from Albany, togather with his Time & Expence in Riding after Two of them, Amounting to the Sum of £15. 15.

Legislative Records of the Council, xii., 301.

[1] *Sic.*

House Journal, pp. 22, 52, 60.

[Read and]

Resolved that the Sum of fourteen pounds fifteen Shillings be Allowed & paid out of the Publick Treasury to Rowlan Dyke in full Discharge of the Said Accompt. [*Passed December 11.*

CHAPTER 290.

VOTE GRANTING THE PETITION OF STEPHEN BARKER & OTHERS FOR ERECTING A NEW TOWN.

Legislative Records of the Council, xii., 301.

House Journal, p. 12. Province Laws, ii., 367, chap. 12.

A PETITION of Stephen Barker & Others to the Number of thirty Familys Inhabitants of a Tract of Land adjoining to Haverhill, Which is not included within any Township in this Province, And is Bounded as follows; viz, Begining at the Mouth of Hawks Meadow Brook at Merimack River, & So Running up Merimack River to Dracut Line, & upon Dracut line to the Head of Dunstable Line, from thence to an Heap of Stones in Haverhill Line called the Eight Mile Heap of Stones, & from thence to the Mouth of Hawks Brook first Mention'd, Praying that the Lands as above Bounded & Described may be erected into a Township,

Read together with the Answer of the Town of Haverhill thereto, which being Considered

Voted that the prayer of the Petition be Granted, And that the petitioner have leave to bring in a bill to Erect the Lands petitioned for into a Township Accordingly, Provided there be a Saving of the Right & Property of any Province Lands (If any there be[1] within the Bounds Mentioned in the Petition) to the Province. [*Passed December 11.*

CHAPTER 291.

RESOLVE ALLOWING £10 EACH TO PETER LEVALLY & PETER POLLAR.

Legislative Records of the Council, xii., 301.

House Journal, p. 67.

A PETITION of Peter Levally & Peter Pollar[2] Fishermen of Marblehead Praying an Allowance for Two Indian Prisoners they Brought from the Coast of Nova Scotia & Delivered up to the Government, In Sep^{tr} 1723

Read &

Resolved that the Sum of Twenty Pounds be Allowed & paid out of the Publick Treasury to Mr John Oulton to be by him paid to the Said Peter Pollar & Peter Levally in equal Propor[3] Proportion, in Consideration of the Services Mentioned in the Petition. [*Passed December 11.*

CHAPTER 292.

ORDER ON COMMITTEES REPORT OF BURNING BILLS.

Legislative Records of the Council, xii., 302.

IN OBEDIENCE to an Order of the Great & General Court at their present Session appointing us the Subscribers a Committee to take an Accompt of Province Bills that are torn & Defaced; We have

[1] In the House Journal the parenthesis ends after the word "be."
[2] The House Journal reads, "*Potter.*"
[3] *Sic.*

Accordingly Rec^d of Mr Treasurer Allen the Several Bills of the Denomination in the Above Accompt, Amounting to the Sum of Six Thousand Two hundred, Eighty four pounds & eight Shillings at their Express Value All of Which we have Consumed to Ashes: Whereof £3,095. 14. 7 Part of the Aboves^d Sum was delivered us on Acc^o of the £50,000 Loan, Neet Bills Rec^d of the Trustees Above Mentioned, Also £939. 16. 11 Part of the Abovesaid Sum was delivered us on ye Accompt of the Province, as being Rec^d for Taxes Impost & Excise, W^ch with the 5 p^r Cent Advance thereon as they were received into the Treasury, Amount to the Sum of £986. 16. 8 Also the Remaining Sum of £2,248 16. 6 was delivered us on Accompt of the Province, Received for Taxes, Impost & Excise without the 5 per Cent Advance, Making in the Whole the Sum of Six Thousand three Hundred & thirty one pounds Seven Shillings & Nine pence, As Witness our Hands this Seventh of Decr 1724,

Legislative Records of the Council, xii., 278. House Journal, p. 64.

Signed
HENRY PHILLIPS — DAN^L OLIVER
THO^S CUSHING — THO^S PALMER
W^M PEPPERRELL — JN^O WAINWRIGHT
JN^O CHANDLER — PENN TOWNSEND
EDW^D SHOVE — ADD DAVENPORT
JN^O OULTON — THOMAS FITCH

Read & Accepted &

Resolved that Mr Treasurer Allen be & hereby is Discharged from the Said Sum of Six Thousand three Hundred thirty One Pounds Seven Shillings & Nine pence Accordingly. [*Passed December 11.*

CHAPTER 293.

RESOLVE ALLOWING £4 PER MONTH TO CAP^T SAM HINKS.

A PETITION of Capt Samuel Hinks Praying that his Wages as Commander of Fort Mary at Winter Harbour may be raised, And that he may be Allowed his Expence in Making a Well in the Said Fort,

Legislative Records of the Council, xii., 303.

Read & IN Answer to this Petition

House Journal, p. 66.

Resolved that from & After the Time of Capt Saml Hinks's Making up his last Muster Roll, there be Allowed & hereby is Established to the Said Saml Hinks for his Service & While he is Continued in the Command of the Said Fort at the rate of four Pounds per Month for his Wages out of the Publick Treasury until the further order of this Court. [*Passed December 11.*

CHAPTER 294.

RESOLVE ALLOWING 50/ TO JAMES TAPPIN.

A PETITION of James Tappin of Salisbury, Praying to be allowed ye Sum of fifty Shillings being So much due to his Father at the Time of his Death as a Pension Settled on him for Wounds rec^d in the Service.

Legislative Records of the Council, xii., 303.

Read & In Answer to this Petition

House Journal, p. 66.

Resolved that the Sum of fifty Shillings be Allowed & paid out of the publick Treasury to the Petitioner James Tappin Executor as aforesaid & is in full. [*Passed December 11.*

CHAPTER 295.

VOTE ACCEPTING THE REPORT OF THE COMTTEE ON THE PETITION OF WM JENKS, AND CONFIRMING 900 ACRES OF LAND TO WM JENKS & HIS ASSOCIATES. SOUTHERN BOUNDS OF MENDON ESTABLISHED.

Legislative Records of the Council, xii., 298, 303.

House Journal, p. 69. *Ante*, p. 371, chap. 258.

A PETITION of William Jenks of Providence in the Colony of Rhode Island in Behalf of himself & his Associates, Praying that this Court would Absolutely make & Confirm a Grant of Nine Hundred Acres of Land as laid out to Samuel Comestock & his Associates (of Whom the Petitioner is one) on the North Side of the Colony, or that the Mile of Land reserved to the Town of Providence & Governmt of Rhode Island by the Commissrs of both Governments (& Since Released to the Massachusetts upon Presumption of the Said Nine hundred Acres being Confirmed to the Said Comestock &c) may be ordered for the Petitioners Settlement & Improvement in Lieu of the Said Nine hundred Acres, which will be as much to their Satisfaction.

The Committee appointed to Consider & Report upon the Petition of William Jenks & his Associates are of Opinion, That the Nine hundred Acres of Land Mentioned in the Petition Should be Confirmed to the Petitioners by a Grant of this Court & be Surveyed & Platted Accordingly; PROVIDED that this Government & those Claiming by or under them be in no wise at any Time hereafter Defeated or Molested in their Right & Possession of the Mile of Land so called & Described in the Petition, Which formerly was agreed to be Granted to the Colony of Rhode Island, but lately Quit Claimed or Released by them to this Government, on Consideration of the Petitioners having the Said Nine hundred Acres Confirmed to them by this Court; PROVIDED Also that the Petitioners Make Satisfaction to Such persons as may have enter'd upon any Part, of the Said Nine hundred Acres, for any Buildings, Fences or other Improvements by them made on the Premisses, The Value thereof to be apprised by three Persons; viz, the Surveyor to be appointed by this Court, & two Others to be Chosen by the Petitioners & the Occupants respectively; And WHEREAS it appears by a late Survey, Ordered by this Court, that the Town of Mendon have extended their Line of Township Considerably beyond their Original Grant from this Court, And the Plat of the Said Township is Said to have been burnt in the Town House in Boston, for it cannot be found in the Publick Records of the Province, Whereupon Some Difficulties & Controversys might Arise in & to the Prejudice of the Town of Mendon, For the Quieting & Remedying whereof,

It is Proposed that the Southern Bounds of the Said Township of Mendon Should extend Home to the Colony Line SAVING the Property of the Said Nine Hundred Acres as aforesaid to the Petitioners

In the Name by order of the Committee

PAUL DUDLEY

Read &

Ordered that this Report be Accepted. [*Passed December 11.*

CHAPTER 296.

ORDER GRANTING TIM° SPRAGUES PETITION FOR AN APPEAL FROM A JUDGMENT.

A PETITION of Timothy Sprague Shewing, that he being Impowered by the Order of this Court to have a Tryal of an Appeal from a Judgement of Justice Flagg Upon a Complaint Against the Petitioner exhibited by John Vinton & Others, The Court of General Sessions of the Peace would not Allow of the Validity of the Order because it was Not Sign'd by his Honour the Lieut, Govr at the Time when it was Served on the Adverse Party, Though it was, When the Court had Consideration of it, And so the Petitioners Appeal was Dismiss'd. And being again without Remedy in the Law, Therefore Praying that he may be enabled to file his Reasons of Appeal & have a Tryal at the Next Court of General Sessions of ye Peace for the County of Middlesex.

Legislative Records of the Council, xii., 302.

House Journal, pp. 71, 72. *Ante*, p. 456, chap. 65.

Read &

Ordered that the prayer of the Petition be granted & that the Petitioner be Admitted to a Tryal Accordingly, Any Law, Usage, or Custom to the Contrary Notwithstanding. [*Passed December 12.*

CHAPTER 297.

RESOLVE ALLOWING PAYMENT ON COLL JN° HARMANS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service on the Eastern frontiers under the Command of Lieut, Coll° Johnson Harman, Containing an Accompt of wages due to them for their Service from August 21th 1723, to Nove^r 24th 1724, Amounting to the Sum of £1,611. 15. 4.

Legislative Records of the Council, xii., 304.

House Journal, pp. 53, 54.

[Read, Accepted and]

Resolved that the Sum of One thousand five hundred & forty Nine pounds eight Shillings & four Pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll, to Whom the Same is Respectively due (Agreeable to the Report of the Committee of the House). [*Passed December 12.*

CHAPTER 298.

RESOLVE ALLOWING PAYMENT OF £28. 3. 5 TO CAP^T JN° ASHLEY.

Two ACCOMPTS of Capt John Ashley, one for Expresses Sent in the publick Service, Amounting to the Sum of £14. 10 & the Other for Charges on the Publick Stores, Amounting to the Sum of £13. 13. 5.

Legislative Records of the Council, xii., 305.

House Journal, p. 69.

[Read, Accepted and]

Resolved that the Sum of Twenty Eight pounds three Shillings & five pence be Allowed & paid out of the Publick Treasury to Capt John Ashley in full Discharge of the Said Accompt. [*Passed December 12.*

CHAPTER 299.

RESOLVE ALLOWING £16. 16. 4 TO CAPT PHILIP GOSS.

Legislative Records of the Council, xii., 305.

House Journal, p. 48.

AN ACCOMPT of Capt Philip Goss for Expresses Sent from Brookfield in the Publick Service togather with the Charge of Several Scouts Sent out in the Service from August 26th 1723, to July 1st 1724, Amounting in the Whole to £23. 16. 3.

[Read, Accepted and]

Resolved that the Sum of Sixteen pounds Sixteen Shillings & four pence be Allowed & paid out of the Publick Treasury to ye sd Capt Philip Goss to be by him paid to the Several Persons to Whom the Same is Respectively Due in full Discharge of the Said Accompt. [*Passed December 12.*

CHAPTER 300.

RESOLVE ALLOWING £2. 16 TO JOSHUA[1] FISHER.

Legislative Records of the Council, xii., 305.

House Journal, p. 62.

AN ACCOMPT of Joshua Fisher for Subsisting Soldiers at Dedham in their Way from Bristol to Boston. Amounting to the Sum of £2. 16 The Same being Certified under the Hand of Capt Jno Penhallow who Conducted them.

[Read, and]

Resolved that the Sum of Two pound Sixteen Shillings be Allowed & paid out of the publick Treasury to Lieut. Joshua Fisher in full Discharge of the Said Accompt, And that the Treasurer be Directed to take out of the Capts Accompts of Subsistence under Whom the Said Men were Order'd & Posted the Abovesaid Sum of fifty Six Shillings. [*Passed December 12.*

CHAPTER 301.

RESOLVE ALLOWING £11. 17. 6 TO EDMUND MONTFORTH.

Legislative Records of the Council, xii., 305.

House Journal, p. 68.

Post, p. 540, chap. 307.

AN ACCOMPT presented by Edmund Mountforth of Sundry Disburstments on the Forces Eastwd for the Publick Service, Amounting to £11. 17. 6.

[Read, Accepted and]

Resolved that the Sum of Eleven Eleven[2] Pounds Seventeen Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Edmund Mountforth in full Discharge thereof. [*Passed December 12.*

CHAPTER 302.

RESOLVE ALLOWING 40/ TO JNO VEASY.

Legislative Records of the Council, xii., 306.

A PETITION of John Veasy of Brantry, Shewing that Pursuant to a Warrant from his Honour the Lieut. Govr (he being Constable of the Said Town) he Apprehended & Delivered up to Lawfull Authority one

[1] "John," in Executive Records of the Council, viii., 133.
[2] *Sic.*

Francis Ned a Deserter, And therefore Praying that this Court would order him the Premium Allowed by Law for the Said Service

House Journal, p. 65. Province Laws, ii., 262.

Read &

Resolved that the Sum of forty Shillings be allowed & paid out of the Publick Treasury to the Petitioner John Veasy in Consideration of the Service Mentioned in the Petition. [*Passed December 12.*

CHAPTER 303.

RESOLVE ALLOWING £10 FOR SCOUTING AND £3. 4. 1 TO JOHN PRESTON.

AN ACCOMPT presented by Coll. Samuel Partridge of Several Scouts Sent out in the Publick Service, Togather with Some Charges of Billiting Soldiers from Connecticut, Ferryage &c

Legislative Records of the Council, xii., 306.

[Read, Accepted and]

House Journal, p. 51.

Resolved that the Sum of Ten pounds be Allowed & paid out of the Publick Treasury to Serg^t^ Saml Boltwood to be by him paid to the persons that preform'd the Standing Scout, And further that the Sum of three pounds four Shillings & one peny be Allowed & paid out of the publick Treasury to John Preston in full for the Ferryage within Mentioned. [*Passed December 12.*

CHAPTER 304.

RESOLVE ALLOWING PAYMENT OF £300 TO CAP^T^ TIM^O^ DWIGHT.

A MEMORIAL of Capt Timothy Dwight, Proposing that a Sum of Money be Advanced for the Laying in of Provision for Victualling the Garrison at fort Dummer Near Northfield.

Legislative Records of the Council, xii., 306.

Read &

House Journal, p. 60.

Resolved that the Treasurer be And hereby is Directed & Impowered to Advance & pay Unto Capt Timothy Dwight the Sum of three hundred pounds to purchase Provisions & for Victualling the Forces at Fort Dummer, He to give Bond to Mr Treasurer that the Money be expended in the Said Service, And that the Provisions &c be accordingly Used & expended. [*Passed December 12.*

CHAPTER 305.

RESOLVE ALLOWING PAYMENT OF £8. 14 TO CP^T^ EBEN^R^ LEARNARD.

A PETITION of Capt Ebenezer Learned, Praying an Allowance for him self & Company, Order'd by Coll. Chandler to the Relief of Rutland when Attack'd, togather with their Charges of Horses & Subsistence.

Legislative Records of the Council, xii., 306.

Read [Accepted] &

House Journal, p. 69.

Resolved that the Sum of eight Pounds fourteen Shillings (being two Shillings per Diem for Man & Horses Subsistence) be Allowed & paid out of the publick Treasury to Capt Ebenezer Learnard to be by him paid to the persons to Whome the Same is due in full Discharge thereof. [*Passed December 12.*

CHAPTER 306.

RESOLVE ALLOWING £37. 7. 6 TO DR GEORGE PEMBERTON.

Legislative Records of the Council, xii., 306.

House Journal, p. 68.

AN ACCOMPT presented by Dr George Pemberton of Midicines & Attendence on the Sick & Wounded at His Majesties Castle William from June 12th 1724, to Decr 1st following, Amounting to the Sum of £39. 7. 6.

[Read, Accepted and]

Resolved that the Sum of thirty Seven pounds Pounds[1] Seven Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant, George Pemberton in full Discharge thereof. [*Passed December 12.*

CHAPTER 307.

RESOLVE ALLOWING £12. 10. 8 TO EDM^D MOUNTFORTH.

Legislative Records of the Council, xii., 307.

House Journal, p. 69.
Ante, p. 538, chap. 301.

A SECOND ACCOMPT of Disburstments of Edmund Mountforth for the Service of the Forces Eastward, for Mending Whale boats, Making Oars, Store House Hire, &c, Amounting to the Sum of £12. 10. 8.

[Read, Accepted and]

Resolved that the Sum of Twelve pounds ten Shillings & eight pence be Allowed & paid out of the publick Treasury to the Accomptant Edmund Mountforth in full Discharge thereof. [*Passed December 12.*

CHAPTER 308.

RESOLVE ALLOWING £13 TO RICH^D HUNT.

Legislative Records of the Council, xii., 307.

House Journal, p. 64.

AN ACCOMPT presented by Richard Hunt of Horse Hire for the Publick Service, And his Riding Express with the publick Letters to New London, Amounting in the Whole to the Sum of £13.

[Read, Accepted and]

Resolved that the Sum of Thirteen pounds be Allowed & paid out of the publick Treasury to Richard Hunt in full Discharge thereof. [*Passed December 12.*

CHAPTER 309.

ORDER APPOINTING A COMMITTEE TO CONFER WITH THE RHODE ISLAND GENTLEMEN.

Legislative Records of the Council, xii., 307.

House Journal, pp. 62, 63.

In Council,

Ordered that Nathl Byfield & Adam Winthrop Esq^rs with Such as Shall be appointed by the Honble House of Represent^s be a Committee in Behalf of this Court to Confer with a Committee Sent from the Government of Rhode Island upon the Subject of the Said Governm^ts Furnishing their Quota of Men for ye Assistance of this Province in the present War,

[1] *Sic.*

In the House of Represent^s Read, & Concurd, And
Ordered that Mr Speaker Mr Wainwright & Capt Kent, be join'd in the Affair, And that the Committee Make Report to this Court. [*Passed December 12.*

CHAPTER 310.

ORDER ON HADLEY PETITION FOR A GRANT OF LAND.

A PETITION of the Town of Hadley, Praying a grant of a Tract of province Land adjoining to a Part of their Township, which lies to the Southward of Mount Holyoak, & Bounded by Springfield South, The equivilent Lands east, And their Own Lands, Above Mentioned to the North And West, they being about to Settle their own Lands wch is too Small for a Precinct, & too far Distant from the body of the Town for their Attendance on the publick Worship there.

Legislative Records of the Council, xii., 307.

House Journal, p. 68.

Read &
Ordered that John Stoddard & John Ashley Esq^rs And Mr John Dickinson be a Committee to Repair to the Province Lands Petitioned for And as Set forth in the said Petition, That they take a Survey of the Same by a Skilfull Surveyor under Oath, & Return a Plat thereof togather with their Opinion of the Quality of it to this Court at their Session in May Next. [*Passed December 12.*

CHAPTER 311.

RESOLVE ALLOWING £30 TO REV^D MR SAMUEL HUNT.

A MEMORIAL of Sundry Inhabitants of Acushnock Village in Dartmouth Shewing that they Have Subscribed to the Utmost of their Ability for the Maintenance of a Gospel Minister Among them, There being but few persons among them that are Disposed to Encourage a Minister, And therefore praying Some Assistance from this Court, That So Mr Saml Hunt their Present Minister may be perswaded to Continue Still with them.

Legislative Records of the Council, xii., 307.

House Journal, p. 36.

Read and In Answer to the Within Memorial
Resolved that the Sum of Thirty pounds be allowed & paid out of the Publick Treasury to the Revd Mr Saml Hunt the Present Pastor and Minister to the Petitioners for his Support & Relief for the Year Currant. [*Passed December 12.*

CHAPTER 312.

VOTE ON PETITION OF NATH^L THOMAS ESQ^R GRANTING HIM A PREMIUM FOR LINEN CLOTH.

A PETITION of Nathl Thomas Esqr Praying that the Treasurer may be Directed to Pay him the Premium Allowed by Law for two peices of Linen Cloth offered by him to the Court of General Sessions for the County of Plymouth for their Approbation as the Best & finest made in that County & by them Apprised & Cut in the Middle, but the Said Court Refused to give him a Certificate to Signify they were the two Best, because there was no Others produced at Court.

Legislative Records of the Council, xii., 308.

House Journal, p. 67. Province Laws, ii., 241, chap. 1.

Read & IN Answer to this Petition,

Voted that it is the Opinion of this Court, That the Petitioner is entituled to the premium in the Law for the Encouraging the Linen Manufacture, And therefore that the Justices of the Said County of Plymouth be Directed to give him a Certificate Accordingly. [*Passed December 12.*

CHAPTER 313.

RESOLVE ON A QUEST. ABOUT THE ACT IN REGARD TO FENCE VIEWERS.

Legislative Records of the Council, xii., 308.

House Journal, p. 63. Province Laws, i., 333, chap. 12; 364; ii., 100, chap. 3.

THE FOLLOWING QUESTION was put upon the Act in Addition to the Act for Regulating Fences, Cattle &c, Whether it be the duty & in the Power of the Fence Viewers, being requested by any Person interested to Set up or Repair any fence fallen down or otherwise Defective, other than about Common & General fields

Resolved in the Affirmative. [*Passed December 12.*

CHAPTER 314.

RESOLVE ALLOWING 58/ 6 TO ANTHONY BAKER.

Legislative Records of the Council, xii., 308.

House Journal, p. 70.

A PETITION of Anthony Baker Shewing that a Wound he received in the Service against the Indians under Capt William Cock has Occasioned a great Charge to him for his Doctors Attendance & Diet at Casco Bay, Praying an Allowance for the Same from this Court,

Read & IN answer to this Petition,

Resolved that the Sum of fifty Eight Shillings & Six pence be allowed & Paid out of the publick Treasury to the Petitioner Anthony Baker in full for Nursing Victuals &c, And that he be & hereby is freed & Exempted from paying ye Said Dr Allens Bill, or any part thereof, The Said Allen being Retained in the Pay & Service of this Province at the Same Time. [*Passed December 12.*

CHAPTER 315.

RESOLVE ALLOWING £18. 15. 8 TO CP^{T} JN^{O} PENHALLOW.

Legislative Records of the Council, xii., 308.

House Journal, p. 65.

AN ACCOMPT presented by Capt John Penhallow of Sundry Disburstm^{s} for the Publick Service, for Mending Whale boats, Horse Hire, Paying Several Bills &c, Amounting in the Whole to the Sum of £19. 15. 8.

[Read and]

Resolved that the Sum of eighteen pounds fifteen Shillings & eight pence be Allowed & paid out of the publick Treasury to the Accomptant, John Penhallow in full Discharge thereof. [*Passed December 12.*

CHAPTER 316.

RESOLVE ALLOWING £12. 8 TO CPT WM WARD.

A PETITION of Capt William Ward. Praying an Allowance for himself and Company, who by order of Coll. Buckminster went to the Relief of Rutland upon an Allarm made there, being out four Days.

Legislative Records of the Council, xii., 308.

Read [Accepted] &

Resolved that the Sum of Twelve Pounds eight Shillings (being two Shillings per Diem for man & Horses Subsistence) be Allowed & paid out of the Publick Treasury to Capt William Ward to be by him paid to the persons to Whom the Same is due in full Discharge thereof. [*Passed December 12.*

House Journal, p. 69.

CHAPTER 317.

RESOLVE ALLOWING £79. 19 TO BENJA EVERENDEN.

AN ACCOMPT presented by Benjamin Everenden of the Charge of new Making decayed Gun Powder, Amounting to the Sum of £79. 19.

Legislative Records of the Council, xii., 309.

[Read, Accepted and]

Resolved that the Sum of Seventy Nine Pounds Nineteen Shillings be Allowed & paid out of the Publick Treasury to the Accomptant Benja Everenden to be by him paid to the Persons to Whom the Same is due in full Discharge thereof. [*Passed December 12.*

House Journal, p. 61. *Ante*, p. 467, chap. 97.

CHAPTER 318.

RESOLVE ALLOWING £11. 1 TO COLLO JNO APPLETON.

AN ACCOMPT presented by Coll. Jno Appleton for Billiting Soldiers impress'd in his Majesties Service, Amounting to the Sum of £11. 1.

Legislative Records of the Council, xii., 309.

[Read, and]

Resolved that Mr Treasurer be further Directed to pay unto the Honble John Appleton Esqr the Sum of Eleven pounds one Shilling being the Amount of this Accompt, & What is Charged therein for Subsisting the Said Soldiers, The Treasurer is hereby further Directed to take out of the Captains Accompt of Subsistance under whom the Said Men were Ordered & Posted, Provided the Captain Charges Subsistence for the Same Time. [*Passed December 12.*

House Journal, p. 62.

CHAPTER 319.

RESOLVE ALLOWING 20/ TO ROG: MITCHEL.

AN ACCOMPT of Roger Mitchel, for Riding Express at Several Times in the Service of the Governmt in the County of York.

Legislative Records of the Council, xii., 309.

[Read and]

Resolved that the Sum of Twenty Shillings be Allowed & Paid out of the publick Treasury to the Accomptant Roger Mitchel in full Discharge thereof. [*Passed December 12.*

House Journal, p. 64.

CHAPTER 320.

ORDER ON MEM^O FOR THE COM^TTEE FOR HOPKINSTON.

Legislative Records of the Council, xii., 289.

House Journal, p. 73. Province Laws, ix., 662, chap. 33.

A MEMORIAL of the Committee of the Trustees for Hopkinston, Shewing that Messrs Savil Simpson & John Jones with their Lands & familys, & Mr Anthony Blounts Land were by this Court Set off from Hopkinston to Framingham during the Courts Pleasure, that the Above Named persons are now Willing & Desireons to be Placed to the Town of Hopkinston, And therefore praying that familys & Lands before Mentioned may be Sett off from Framingham & Returned to Hopkinston & Deemed Inhabitants of the Said Place,

Read &

Ordered, that the Prayer of the Petition be Granted, And that the Said Savil Sympson, & John Jones (and Anthony Blunt for his Land) Pay their Proportionable Parts of the Rates, & Taxes Which have been Charged on them by the Town of Framingham. [*Passed December 14.*

CHAPTER 321.

ORDER ACCEPTING THE REPORT RESPECTING THE CAUSES OF Y^E WAR.

Legislative Records of the Council, xii., 310.

House Journal, p. 73. *Ante*, p. 540, chap. 309.

COLL. NATHANIEL BYFIELD from the Committee of both Houses appointed to Confer with the Commiss^rs from Rhode Island reported a Narrative of the Several Causes of the Present War with a Justification of the Proceedings of this Govern^t therein, W^ch they had before Communicated to the Said Commiss^rs from Rhode Island in their Conferences with them;

Read &

Ordered that this Report[1] be Accepted & that ye Committee of this Court, be Desired to deliver a Copy thereof to the Commiss^rs from the Government of Rhode Island. [*Passed December 14.*

CHAPTER 322.

RESOLVE ALLOWING 31 TO DR JOSH: BAILEY.

Legislative Records of the Council, xii., 310.

House Journal, p. 58.

AN ACCOMPT of Dr Joshua Bailey for Medicines & Attendence on Several Soldiers Sick in the Service, Amounting to thirty one Shillings.

[Read, and]

Resolved that the Sum of thirty one Shillings be Allowed & Paid out of the publick Treasury to the Accomptant Joshua Bailey in full Discharge of this Accompt. [*Passed December 14.*

[1] The report itself has not been found.

CHAPTER 323.

RESOLVE ALLOWING £4. 10 TO THO^S HOG.

A PETITION of Thomas Hogg of Arrowsick, Praying an Allowance for the Diet & Attendence on John Pike a Sick Soldier & for Damage done to his Bedding with a Certificate for the Same from Dr Allen

Read [accepted] &

Resolved that the Sum of four Pounds & ten Shillings be Allowed & paid out of the Publick Treasury to the Petitioner Thomas Hog in full for the Services in the Petition Mentioned. [*Passed December 14.*

Legislative Records of the Council, xii., 310.

House Journal, p. 70.

CHAPTER 324.

RESOLVE ALLOWING £10 TO JABEZ BRADBURY.

A PETITION of Jabez Bradbury, Praying an Allowance for his Services as Pilot to the forces under the Command of Coll. Thomas Westbrook on Several Marches made on Kennebeck River.

Read [Accepted] &

Resolved that the Sum of Ten Pounds be allowed & Paid out of the publick Treasury to the Said Jabez Bradbury in Satisfaction of the Services Mentioned in the Petition. [*Passed December 14.*

Legislative Records of the Council, xii., 310.

House Journal, p. 70.

CHAPTER 325.

RESOLVE ALLOWING £23. 12. 6 TO CP^T JN^O ASHLEY.

AN ACCOMPT presented by Capt John Ashley of Several Scouts Sent out by him for the Discovery of the enemy & for the Security of the Inhabitants of Westfield, Amounting to the Sum of £56. 19.

[Read, accepted and]

Resolved that the Sum of Twenty three pounds twelve Shillings & Six pence be Allowed & paid out of the Publick Treasury to Capt John Ashley to be by him paid to the Several persons that have performed the Said Scout (Agreeable to the Committees Report) in full of ye S^d Accompt. [*Passed December 14.*

Legislative Records of the Council, xii., 310.

House Journal, p. 64.

CHAPTER 326.

RESOLVE ALLOWING PAYMENT ON CAP^T JOSIAH WILLARDS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service on the Western frontiers under the Command of Capt Josiah Willard, Containing an Accompt of wages due to them for their Service from August 20th 1724 to Decr 2^d following, Amounting to the Sum of £293. 3. 2 togather with the Subsistence of the Said Company the Said Time, Amounting to the Sum of £138. 0. 8½.

Read [Accepted] &

Legislative Records of the Council, xii., 311.

House Journal, p. 52.

Resolved that the Sum of Two hundred eighty two pounds two Shillings & one peny be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll to Whom the Same is Respectively due in full Discharge of the wages thereof, And that the further Sum of One hundred & thirty eight pounds & eight pence be Allowed & Paid out of the publick Treasury to Capt Josiah Willard to be by him Repaid to the Person or Persons that have Subsisted the Said Men in full Discharge of the Subsistence thereof. [*Passed December 15.*

CHAPTER 327.

RESOLVE ALLOWING PAYMENT ON L^T ALLISON BROWNS MUSTER ROLL.

Legislative Records of the Council, xii., 312.

House Journal, p. 70.

A MUSTER ROLL of the Company in his Majesties Service Eastward Under the Command of Lieut. Allison Brown, Containing an Accompt of Wages due to the Said Company for their Service from the 13th of June 1724 to the 11th of Decr following, Amounting to the Sum of £346. 0. 8.

Read [Accepted] &

Resolved that the Sum of Three hundred & forty three pounds & eight pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll, to whom the Same is due in full Discharge of the wages thereof. [*Passed December 15.*

CHAPTER 328.

RESOLVE ALLOWING 34/ TO NATH^L GILBERT.

Legislative Records of the Council, xii., 312.

House Journal, p. 73.

AN ACCOMPT of Nathaniel Gilbert of Billiting Several Men that went to Rutland at the Time of Mr Willards Death with Allowance for their Service Amounting to the Sum of £4. 14.

[Read, and]

Resolved that the Sum of Thirty four Shillings be Allowed & paid out of the Publick Treasury to the Accomptant Nathl Gilbert in full of the Said Expresses & Accompt. [*Passed December 15.*

CHAPTER 329.

RESOLVE ALLOWING £29. 9. 3 TO DAV: MELVIL.

Legislative Records of the Council, xii., 312.

House Journal, p. 72.
Post, p. 548, chap. 334.

AN ACCOMPT presented by David Melvil of the Subsistence of Several Mowhawks & their Squaws, Amounting to the Sum of £29. 9. 3.

[Read, Accepted and]

Resolved that the Sum of Twenty Nine Pounds Nine Shillings & three pence be Allowed & paid out of the Publick Treasury to the Accomptant David Melvil in full Discharge thereof. [*Passed December 15.*

CHAPTER 330.

ORDER ON REBBECCA ABBOTS PETITION FOR POWER TO SELL LAND.

A PETITION of Rebecca Abbot of Roxbury, Widow Administr^ar of the Goods & Chattles of William Abbot Deceas^d Shewing that in the Year 1705, one William Gerey Settled an Estate in Land & Chattles on the Said William Abbot with Covenant for the Maintenance of himself & Wife for Life out of the Same; out of which Several Legacys were to be paid, That the Sum of £238. 4 has been Disbursed for the Maintenance of the Said Mrs Gerey, who is Still Living, And upon the Children of the Said William Abbot &c. That the Petitioner has but one Child, who is weak And Sickly, And in Case of that Childs Death, the Said Estate would revert to the Relations of the Said Gerey, Notwithstanding the Disburstments aforesaid, And therefore Praying that She may be Impowered to Sell so Much of the Said Estate as will be Sufficient to Reimburse her the Sums She has laid out as aforesaid & for the further Maintenance of the Said Mrs Gerey.

Legislative Records of the Council, xii., 312.

House Journal, p. 75.

Read &

Ordered that the Prayer of the Petition be So far granted as that the Justices of the Superiour Court be & hereby are Authorized & Directed to Impower the Petitioner to Sell So much of the Lands wch belong'd to William Abbot Deceas^d as may in their Opinion be Necessary to Answer the Request of the Petition. [*Passed December 15.*

CHAPTER 331.

RESOLVE ALLOWING PAYMENT OF CAP^T SAM^L WHEELWRIGHTS MUSTER ROLL.

A MUSTER ROLL of the Company in his Majesties Service on the Eastern frontiers Under the Command of Capt Samuel Wheelwright, Containing an Accompt of Wages due to them for their Service from June 3 to Decr 8th 1724, Amounting to the sum of £482. 13.

Legislative Records of the Council, xii., 313.

House Journal, p. 70.

[Read, Accepted and]

Resolved that the Sum of Four hundred & Eighty two pounds & thirteen Shillings be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is respectively due in full Discharge of the Wages thereof. [*Passed December 15.*

CHAPTER 332.

RESOLVE ALLOWING £4. 3 TO SARAH AYRES.

AN ACCOMPT presented by Sarah Ayres, of the Nursing & Diet of divers Sick Soldiers in the Service Eastward, Amounting to the Sum of £4. 3.

Legislative Records of the Council, xii., 313.

House Journal, p. 72.

[Read, accepted and]

Resolved that the Sum of four pounds three Shillings be Allowed & paid out of the Publick Treasury to the Accomptant Sarah Ayres in full Discharge thereof. [*Passed December 15.*

CHAPTER 333.

RESOLVE ALLOWING PAYMENT OF SERG^T JOS: CLESONS MUSTER ROLL.

Legislative Records of the Council, xii., 313.

House Journal, p. 70.

A MUSTER ROLL of the Company in his Majesties Service on the Western frontiers under the Command of Serg^t Joseph Cleson, Containing an Acc^o of Wages & Subsistence due to them to the Amount of £32. 17. 6.

[Read, Accepted and]

Resolved that the Sum of Thirty two Pounds Seventeen[1] Shillings & Six pence be Allowed & paid out of the Publick Treas^y to Jos: Parsons Esqr to be by him Paid to the persons within Mentioned to Whom the Same is Respectively due in full Discharge thereof. [*Passed December 15.*

CHAPTER 334.

RESOLVE ALLOWING £76. 2 TO DAV: MELVIL.

Legislative Records of the Council, xii., 313.

House Journal, p. 72.
Ante, p. 546, chap. 329.

AN ACCOMPT presented by David Melvil of the Charge of Keeping Indian Prisoners from June 10th to Novem^r 28th 1724, Amounting to the Sum of £76. 4. 9.

[Read, Accepted and]

Resolved that the Sum of Seventy Six pounds Two[2] Shillings be Allowed & Paid out of the publick Treasury to the Accomptant David Melvil in full Discharge of the Said Accompt. [*Passed December 15.*

CHAPTER 335.

RESOLVE ALLOWING £5 TO SAM^L MEARS.

Legislative Records of the Council, xii., 313.

House Journal, p. 73.

AN ACCOMPT presented by Samuel Mears of his Riding Express from Springfield & for Horse Hire for Henry Edgar, Amounting to the Sum of £5.

[Read and]

Resolved that the Sum of five pounds be Allowed & paid out of the Publick Treasury to the Accomptant Saml Mears in full Discharge of the Said Accompt & for Carrying the Horse for Edgar back Again. [*Passed December 15.*

CHAPTER 336.

RESOLVE ALLOWING £12. 6. 6 TO SAM^L TYLEY.

Legislative Records of the Council, xii., 313.

House Journal, p. 72.

AN ACCOMPT presented by Mr Saml Tyley, of Writing by him done for the Publick, Amounting to the Sum of £12. 6. 6.

[Read, Accepted and]

Resolved that the Sum of Twelve pounds Six Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Saml Tyley in full Discharge thereof. [*Passed December 15.*

[1] "One shilling," according to Executive Records of the Council, viii., 138.
[2] "Four shillings," according to Executive Records of the Council, viii., 139.

CHAPTER 337.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF Y^E GARRISON AT FORT GEORGE.

A MUSTER ROLL of the garrison at the Block House upon St Georges River late under the Command of Lieut. James Armstrong Deceas^d Containing an Accompt of Wages due to them for their Service from August 17th 1723, to Novem^r 21st 1724, Amounting to the Sum of £225. 2. 3.

Legislative Records of the Council, xii., 315. Mass. Archives, xci., 131.

Read and Accepted and

Resolved That the Sum of two hundred & twenty five pounds, two shillings & three pence be allowed and paid out of the publick Treasury to the officers & Soldiers born on the within Roll in full discharge thereof. [*Passed December 15.*

Mass. Archives, xci., 130. House Journal, p. 73.

CHAPTER 338.

RESOLVE FOR PROVIDING THE MILITIA SOLDIERS IN Y^E FRONTIERS WITH SNOW SHOES &c.

Resolved that for the More Effectual prosecution of the War against the Indian Enemy & Bebels[1] & Putting the frontiers into a better Posture of Defence, There be a Suitable Number of good effective Men in the Several Towns hereafter enumerated at the Appointment of the Military Commission Officers within within[2] the Same, Who Shall each of them Provide themselves with a good Suitable pair of Snow Shoes & Moggasins fit for Service, Who Shall be Allowed & paid out of the publick Treasury the Sum of Ten Shillings each towards Defraying the Charge thereof, upon their Producing a Certificate under the Hand of the Chief Officer of the Company or Troop to Which Said Snow Shoe Man belongs, That he is duly Provided with Sufficient Snow Shoes & Moggasins as aforesaid: And if any person or persons, who Shall be appointed to provide Snow Shoes & Moggasins in Said Towns Shall Neglect so to do within the Space of Ten days next After his or their being so appointed, He or they Shall forfeit & Pay the Sum of Twenty Shillings to be recovered as the Law has Provided in Case of any Defects of Arm's, & improved for Procuring Snow Shoes & Moggasins for the Said Company of Snow Shoe Men, to which the Deficient Man Belongs; That his Honour the Lieut. Govr be Desired to Appoint Some Suitable Officer or Officers in the Several Towns to Execise the Said Snow Shoe Men in the Use of Snow Shoes by running or Marching on the Snow, That So they may be expert in the Use thereof, That upon an Allarm made at any of the Frontiers, Forts or Garrisons within the province On advice or Discovery of the Indian Enemy, coming upon or Appearing near the the[2] Same, the Said officers & Snow Shoe Men or so many of them as can be drawn togather, as the Circumstances of the Case may Require, Shall Pursuant to the Orders given by the Commander In Chief. for the Time being, March out forthwith after the the[2] Enemy well fitted with Arms, Amunition, Provision & each of them a Blanket, to Pursue Encounter, repel & Destroy the Enemy, And the Said Officers & Soldiers So taking to Arms, besides the Wages & Subsistence Allowed to the Marching Forces in the Pay & Service of this Government, Shall be entituled to Such other Rewards

Legislative Records of the Council, xii., 314.

House Journal, pp. 61, 62. Province Laws, i., 128, chap. 3; ii., 225, chap. 1; 258, chap. 9.

[1] Written "Rebels" in State Library copy, Legislative Records of the Council, xii, 289.
[2] *Sic.*

in Case they Obtain any Plunder Scalps of ye Enemy or Captives as is by Law Provided as a Premium or Bounty for those who go forth as Voluntiers without pay: That the Towns & Number of Persons in each Town who Shall be Obliged to provide Snow Shoes And Moggasins Shall be as follows: In the County of Hampshire: Springfield fifty, twenty Whereof, to be on the west Side of the Great River; Westfield, Thirty; Northampton Sixty; Hadley, Thirty; Deerfield, Thirty; Hatfield, Thirty; Sunderland, Ten; In the County of Middlesex Dracut, fifteen; Dunstable, Thirty; Chelmsford, forty; Billerica Twenty; Groton, forty; Lancaster, Thirty; Rutland, Ten; In the County of Essex; Haverhill, Thirty; In the County of York; Berwick, Twenty, York, Twenty; Wells, Twenty,

That the Said Snow Shoe Men be further Allowed & paid out of the publick Treasury the Sum of three Shillings for Keeping the Said Snow Shoes & Moggasins in good Repair fit for Service during the Continuence of the Present War, Yearly & every Year. [*Passed December 16.*

CHAPTER 339.

RESOLVE FOR MAKING £20,000 IN BILLS OF CREDIT TO LY IN Y^E TREASURERS HANDS.

Legislative Records of the Council, xii., 316.

House Journal, p. 71. *Ante*, p. 504, chap. 207.

Resolved that the Committee that made the Last Bills of Credit on this Province be Desired & Directed to print off and finish the Sum of Twenty Thousand Pounds. Seventeen Thousand Pounds part thereof from the Plate of the Highest Denomination & three thousand Pounds the Remainder thereof from the Plate of the Middle Denomination, And deliver the Same when finished to the Treasurer of this Province, Taking his Receipt for them, the Said Committee to be paid for their Service as for the Bills Last Made, And the Bills are to Lodge in the Treasurers Hands till the further Order of this Court for their being Issued out. [*Passed December 16.*

CHAPTER 340.

RESOLVE ALLOWING £4. 19 TO CALVIN GALPIN FOR TOWN OF BOSTON.

Legislative Records of the Council, xii., 316.

House Journal, p. 75.

AN ACCOMPT of Calvin Galpin for Subsisting two Indians in the Alms House at Boston, Amounting to the Sum of £4. 19.

[Read and]

Resolved that the Sum of four pounds & Nineteen Shillings be Allowed & paid out of the Publick Treasury to the Said Calvin Galpin for the Use of the Town of Boston. [*Passed December 16.*

CHAPTER 341.

RESOLVE ALLOWING £15 TO CAP^T JN^O HAYES.

Legislative Records of the Council, xii., 316.

A PETITION of Capt John Hays Keeper of the Light House, Praying that his Salary may be Advanced in Consideration of the Difficulty of his Service & the Dearness of the Necessarys of Life.

Read [Accepted] &
Resolved that the Sum of fifteen Pounds be Allowed & Paid out of the Publick Treasury to the petitioner Capt John Hayes for the Year Current in Consideration of the Extraordinary &c in the Petition Mentioned. [*Passed December 16.*

House Journal, pp. 33, 75.

CHAPTER 342.

RESOLVE ALLOWING £22. 12 TO DR W^M DAVIS.

AN ACCOMPT presented by Dr William Davis of Midicines and Attendance on divers Indians in the Prison &c, Amounting to the Sum of £22. 12.
[Read, Accepted and]
Resolved that the Sum of Twenty two Pounds & twelve Shillings be Allowed & Paid out of the Publick Treasury to the Accomptant Dr William Davis in full Discharge thereof. [*Passed December 16.*

Legislative Records of the Council, xii., 316.
House Journal, p. 76.

CHAPTER 343.

RESOLVE ON DR W^M DOUGLAS'S PETITION IN REGARD TO A DEFICIENCY IN LANDS BOUGHT OF THE PROVINCE.

PETITION of William Douglas for himself & his Associates who Purchased of Paul Dudley Esqr & Others (a Committee of the General Assembly) a Tract of province Land, lying near to Mendon, which they Bought for Eleven hundred Acres, Shewing that upon a further Survey, it is found to fall Short of the Said Quantity One Hundred & Seventy Acres, And therefore Praying that What is Deficient, may be made up to them in other Province Land, or that So much Money may be Refunded to them as to make up the Said Deficiency
Read [Accepted] &
Resolved that Capt William Ward Surveyor with Two Chain Men under Oath attend the Petitioner and take an Accurate Survey of the Tract of Land mention'd in this Petition, & Report thier Doings at this Court at their Sessions in May Next, The Charge thereof to be Defrayed by the Petitio^rs If the Land be found to Contain the full Quantity, for which it was Sold, & if it fall Short, to be born by the Province, That for what may be wanting, They Shall be repaid in Money in Proportion to their Purchase, And on the other Hand, they to pay for the Overplus if any there be at the Same Rate. [*Passed December 16.*

Legislative Records of the Council, xii., 316.
Mass. Archives, ccxliii., 25.
House Journal, pp. 76, 77.
Ante, p. 299, chap. 30.

CHAPTER 344.

ORDER GRANTING SAM^L BASCOMBS PETITION FOR STAY OF AN EXECUTION.

A PETITION of Samuel Bascomb of Northampton Shewing that there have been Mutual Actions between him & Thomas Debuke of Boston, & Whereas this Court have been Pleased to Stop Execution of Two Judgements Obtained by the Petitioner against the Said Debuke, Therefore praying the order of this Court for Staying an Execution which the

Legislative Records of the Council, xii., 317.
House Journal, p. 78.
Ante, p. 531, chap. 283.

Said Debuke has Taken out against the petitioner for the Sum of One hundred & fourteen Pounds Nineteen Shillings & Nine Pence Read & *Ordered* that the prayer of the Petition be granted. [*Passed December 17.*

CHAPTER 345.

RESOLVE ALLOWING £12 TO COLL. JOHNSON HARMAN.

Legislative Records of the Council, xii., 318.

House Journal, p. 80.

AN ACCOMPT presented by Coll. Johnson Harman of Disbursements on the Sickness & Funerals of Soldiers, Amounting to the Sum of £12.

[Read, Accepted and]

Resolved that the Sum of Twelve pounds be Allowed & Paid out of the Publick Treasury to the Accomptant Coll. Johnson Harman in full Discharge thereof. [*Passed December 18.*

CHAPTER 346.

RESOLVE ALLOWING £15 TO HENRY EDGAR.

Legislative Records of the Council, xii., 318.

House Journal, p. 80.

A PETITION of Henry Edgar, Praying the Allowance of fifteen Pounds being the extraordinary Expences in his Journeys from Canada Occasioned by his Waiting for Govr Vaudreuils Letter to His Honour the Lieut^t Govr.

Read [Accepted] &

Resolved that the Sum of fifteen pounds be Allowed & Paid out of the Publick Treasury to the Petitioner Henry Edgar in Consideration of the Charge he was at in Bringing Monsr Vaudreuils Letter to His Honour the Lieut. Govr. [*Passed December 18.*

CHAPTER 347.

RESOLVE ALLOWING £3. 19 TO COLL ELEAZER TYNG.

Legislative Records of the Council, xii., 318.

House Journal, p. 79.

AN ACCOMPT presented by Coll. Eleazer Tyng of Expresses Sent in the Service of the Government, Amounting to the Sum of three pounds Nineteen Shillings

[Read, and]

Resolved that the Sum of Three pounds Nineteen Shillings be Allowed & paid out of the publick Treasury to Coll. Eleazer Tyng, in full Discharge of the Said Accompt. [*Passed December 18.*

CHAPTER 348.

RESOLVE ALLOWING £7 TO L^T COLL. JOHNSON HARMAN AND £5 TO THEO. COOK AND SOLOMON STEWART.

Legislative Records of the Council, xii., 318.

A PETITION of Lieut. Coll. Johnson Harman, Praying the Allowance of Seven Pounds by him Expended in Conducting Soldiers from Salem to York, And likewise that three Soldiers in his Company who lost their

Guns, two by Stormy Weather, & the other by its Splitting in his Hands, may be Supplied with Arms out of the Publick Treasury. House Journal, p. 77.

Read [Accepted] &

Resolved that the Sum of Seven pounds be Allowed & Paid out of the Publick Treasury to Coll Johnson Harman in full of his Disbursements above Mentioned, And that John Carlile be Discharged from the Payment of a Province Gun, by him lost, And that the Sum of five pounds be Allowed & Paid out of the publick Treasury in Moyetes to Thos Cook & Solomon Steward for the Loss of their guns as Within Mentioned. [*Passed December 18.*

CHAPTER 349.

RESOLVE ALLOWING £10 TO JNO HARRIS.

A PETITION of John Harris Marriner, Shewing that he has enter'd into Recognizance to Appear at the Next Assizes to be held at Plymouth, as a Witness Against one Josiah Challenge an Indian of Marthas Vineyard for a Murther by him Committed on one Isaac Nequoit an Indian, That the Petitioner is upon a Voyage that will not admit of his Return to the Said Court, And therefore praying that he may be either Discharged from his Recognizance or allowed for his Loss of Time & Expence Occasion'd by his Said Attendance. Legislative Records of the Council, xii., 318. House Journal, p. 80.

Read [Accepted] &

Resolved that the Sum of Ten Pounds be Allowed & Paid out of the Publick Treasury to the Petitioner John Harris John Harris[1] in Consideration of his Loss of Time in being Bound to appear at the Next Court of Assize & General Goal Delivery to be holden at Plymouth in April next to give Evidence concerning the Murther of Isaac Nequoit. [*Passed December 18.*

CHAPTER 350.

RESOLVE ON LEICESTER PETITION FOR AN ABATEMENT OF LEICESR PROVINCE TAX.

A PETITION of the Town of Leicester, Praying to be remitted their Part of the Province Tax for this Present Year, on the Account of the Great Difficultys they ly under by reason of the War, Legislative Records of the Council, xii., 319.

Read & IN Answer to this Petition House Journal, p. 79.

Resolved that the Sum of Seven Pounds, being one half of the province Tax of the Town of Leicester for the Present Year be remitted for the Reasons Mentioned in this Petition. [*Passed December 18.*

CHAPTER 351.

ORDER FOR A SURVEY OF THE 900 ACRES OF LAND FOR WM JENKS & OTHERS.

Ordered that John Chandler Esqr be the Surveyor And he is hereby fully Authorized & Impowered to take a Survey of the Nine hundred Acres of Land petitioned for by William Jenks of Providence & his Legislative Records of the Council, xii., 319.

[1] *Sic.*

House Journal, p. 82. *Ante*, p. 536, chap. 295.

Associates & granted to them by a Vote of this Court pass'd the eleventh of this Instant December, And to do all Such things Directed & Ordered to be done by the Said Surveyor & by the Said Vote. [*Passed December 18.*

CHAPTER 352.

RESOLVE ALLOWING 23/ 4 TO PAUL WENTWORTH.

Legislative Records of the Council, xii., 319.

House Journal, p. 76.

A PETITION of Paul Wentworth of Kittery, Praying to be Allowed for the Entertainment of Sixteen Men that Guarded the Judges to the Superiour Court at York in May last, The Charge being £1. 3. 4.

Read [Accepted] &

Resolved that the Sum of Twenty three Shillings & four pence be Allowed & paid out of the Publick Treasury to the Accomptant Paul Wentworth in full Discharge thereof. [*Passed December 18.*

CHAPTER 353.

RESOLVE ALLOWING 40/ TO CP^T RICH^D BOURN.

Legislative Records of the Council, xii., 319.

House Journal, p. 79.

A PETITION of Richard Bourn, Praying an Allowance for his Time & Expence in going after Several Deserters from the Eastern Forces in the Year 1722, by Order of his Excellency the Govern^r

Read &

Resolved that the Sum of forty Shillings be Allowed & Paid out of the Publick Treasury to the Petitioner Richard Bourn in full for the Services Mentioned in the Petition. [*Passed December 18.*

CHAPTER 354.

RESOLVE ALLOWING £20. 6. 8 TO BENJ^A ELLIOT.

Legislative Records of the Council, xii., 319.

House Journal, p. 81. *Infra*, chap. 355.

AN ACCOMPT presented by Benjamin Elliot, of Books, Paper Wafers &c delivered into the Secretarys Office to Decr 9th 1724, Amounting to the Sum of £20. 6. 8.

[Read, and]

Resolved that the Sum of Twenty pounds Six Shillings & eight pence be Allowed & paid out of the Publick Treasury to the Accomptant Benj^a Elliot in full Discharge of the within Accompt. [*Passed December 18.*

CHAPTER 355.

RESOLVE ALLOWING £19. 10. 4 TO BENJ^A ELLIOT'S 2^D ACC^O.

Legislative Records of the Council, xii., 320.

House Journal, p. 78.

AN ACCOMPT presented by Benj^a Elliot of Laws delivered to the Secretary for the Use of the Towns & Members of the General Assembly, togather with Paper Ink &c, for the Council Chamber, Clerk of the Representatives &c, Amounting to the Sum of £19. 10. 4.

[Read, and]
Resolved that the Sum of Nineteen pounds Ten Shillings & four Pence be Allowed & Paid out of the Publick Treasury to Mr Benja Elliot in full Discharge of this Accompt. [*Passed December 18.*

Supra, chap. 354.

CHAPTER 356.

ORDER ON MAURICE FITZ GERALDS PETITION FOR RELEASE FROM IMPRISONMENT.

A PETITION of Maurice Fitz Gerald a Prisoner in His Majesties Goal in Boston, Shewing that he has been under Long Confinement on a Sentence of Court, which he is Unable to Satisfy, And therefore Praying that he may be released from his Said Imprisonment & that he may Serve as a Soldier or Otherwise be employed, so as to be no further a Publick Charge, & that a former Order pass'd by the Representatives respecting his Discharge but not Concur'd by the Council, may be now Revived,

Legislative Records of the Council, xii., 320.

House Journal, pp. 80, 83 (January, 1722); pp. 46, 48 (June, 1723); p. 81.

Read &
Ordered that the Keeper of the Goal in Boston be Allowed four Shillings & eight pence per Week for Keeping the Petitioner. And that Josiah Thayer have the Service of the Petitioner to him His Heirs & Assign's within or Without this Province for the Space of Seven Years & No longer to Satisfy the Judgmt Obtained against the Petitioner for Six Hundred & thirty three pounds; The Said Josiah Thayer to be forthwith Notified hereof, And if in Thirty days after Such Notification he do not take the Petitioner out of Prison, That his Honour the Lieut. Governr will Please to give Orders, that he be Sent to the Eastern Frontiers to Serve as a Soldier there. [*Passed December 18.*

CHAPTER 357.

RESOLVE ALLOWING £3. 3. 4 TO DAV: MELVIL.

AN ACCOMPT presented by David Melvil, Keeper of His Majesties Goal in Boston of the Charge of Keeping Pyrates, Amounting to the Sum of £15. 16. 4.

Legislative Records of the Council, xii., 320.

[Read, Accepted and]
Resolved that the Sum of Three pounds three Shillings & four Pence[1] be Allowed & paid out of the Publick Treasury to David Melvil in Consideration of his Keeping John Rose Archer & William White, & Expences on the Guards at & before the Execution That the other Articles of Charge on the Pyrates now in Goal be referred to the Next May Session for further Consideration, When His Majesties Pleasure may be Known concerning them. [*Passed December 18.*

House Journal, p. 76.

[1] The House Journal reads, £3. 2. 4.

CHAPTER 358.

RESOLVE ALLOWING £32. 16. 3 TO COLL. THO^S WESTBROOK.

Legislative Records of the Council, xii., 320.

House Journal, p. 80.

AN ACCOMPT presented by Coll: Thos Westbrook of Disburstm^ts on the Forces Mowhawks &c, Amounting to the Sum of £32. 16. 3.

[Read, Accepted and]

Resolved that the Sum of Thirty Two Pounds Sixteen Shillings & three pence be Allowed & paid out of the publick Trea[1] Treasury to the Accomptant Coll: Thos Westbrook in full Discharge thereof. [*Passed December 18.*

CHAPTER 359.

RESOLVE ALLOWING £65. 14 TO JN^O WAINWRIGHT ESQ^R.

Legislative Records of the Council, xii., 321.

House Journal, p. 78.

AN ACCOMPT presented by John Wainwright Esqr of Sundry Provisions Ammunition & other Stores Supplied Capt Stephen Perkins & Sylvanus Lakeman for Fitting their Vessells & Men against the Indians, Amounting to the Sum of £66. 9.

[Read, Accepted and]

Resolved that the Sum of Sixty five pounds fourteen Shillings be Allowed & paid out of the publick Treasury to John Wainwright Esqr to be by him repaid to Whom the Same is due in full Discharge of this Accompt. [*Passed December 18.*

CHAPTER 360.

RESOLVE ALLOWING £6 TO JONATH^N CARY.

Legislative Records of the Council, xii., 321.

House Journal, p. 80.

A PETITION of Jonathan Cary, Praying an Allowance for a Small House at Augusta belonging to him, which was Pull'd down by order of Coll: Thos Westbrook, And many of the Boards made Use of by the Officers & Soldiers for Mending & Repairing their Whale boats

Read [Accepted] &

Resolved that the Sum of Six pounds be Allowed & paid out of Publick Treasury to the Petitioner Jonathan Cary in full Discharge thereof. [*Passed December 18.*

CHAPTER 361.

RESOLVE ALLOWING £7. 9. 6 TO CP^T THO^S WELLS.

Legislative Records of the Council, xii., 321.

House Journal, p. 78.

AN ACCOMPT presented by Capt Thos Wells of Charges in the Funeral of Divers Soldiers in the County of Hampshire, Amounting to the Sum of £7. 9. 6.

[Read and]

Resolved that the Sum of Seven pounds Nine Shillings & Six pence be Allowed & paid out of the Publick Treasury to the Said Thos Wells to be by him paid to the persons to Whom the Same is due in full Discharge thereof. [*Passed December 18.*

[1] *Sic.*

CHAPTER 362.

RESOLVE ALLOWING PAYMENT ON CPT WILLM CHANDLERS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majesties Service on the Western frontiers under the Command of Capt William Chandler, Containing an Accompt of Wages due to them for their Service from August 27th to Novr 1st 1724 Amounting to the Sum of £297. 15. 8 Togather with £131. 15. 9 for their Subsistence.

Legislative Records of the Council, xii., 321, 322.

House Journal, p. 58.

Infra, chap. 363.

[Read, Accepted and]

Resolved that the Sum of Two hundred & Seventy Nine pounds two Shillings & Eight pence[1] be Allowed & Paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll in full Discharge of the Wages thereof, And that the further Sum of One hundred & thirty one pounds fifteen Shillings & Nine pence be Allowed & Paid out of the Publick Treasury to Capt William Chandler to be by him Repaid to the Person or Persons that Have Have[2] Subsisted the Said Men in full Discharge of the Subsistence thereof, first Deducting What Provisions have been Supplied by the Treasurer. [*Passed December 18.*

CHAPTER 363.

RESOLVE GRANTING CPT WM CHANDLERS PETITION IN REGARD TO WAGES OF HIMSELF AND THOMAS BUCKMINSTER.

A PETITION of Capt William Chandler, Shewing that he is Informed that the House of Representatives have Voted on his Muster Roll the Reduction of his pay to Lieutenants, & his Lieutenants to Sergeants, & Praying in Consideration of the Difficulty & Faithfulness of their Service that they may be Allowed the wages due to them on the Muster Roll as Captain & Lieutenant.

Legislative Records of the Council, xii., 322. Mass. Archives, lxxii., 214.

Mass. Archives, lxxii., 213. House Journal, p. 74. *Supra*, chap. 362.

Read and

Resolved That the prayer of the petition be granted and that The Treasurer be & hereby is directed to pay & allow Captains pay to the said William Chandler & Lievtenants pay to the said Thos Buckminster the Vote on the said Muster Roll notwithstanding. [*Passed December 18.*

CHAPTER 364.

RESOLVE ALLOWING £7. 15 FOR DAMAGE DONE TO THE SCHOONER SUCCESS & JOHN & THOS.

A CERTIFICATE was Presented by Mr John Oulton of Damage done to the Success Schooner David Parker Master & the John & Thomas Schooner John Bartel Master in the Publick Service, Amounting to £7. 15.

Legislative Records of the Council, xii., 322.

House Journal, p. 76.

[Read, Accepted and]

Resolved that the Sum of Seven pounds fifteen Shillings be Allowed & paid out of the Publick Treasury to Mr John Oulton to be by him paid to the Respective Persons to Whom the Same is due, according to the Valuation within Mentioned. [*Passed December 18.*

[1] The House Journal reads, £297. 15. 8.
[2] *Sic.*

CHAPTER 365.

RESOLVE ALLOWING 33/ TO BENJ^A BAGNALL.

Legislative Records of the Council, xii., 322.

House Journal, p. 81.

AN ACCOMPT of Benj^a Bagnal for Cleaning & Mending the Clocks belonging to the Court House, Amounting to Thirty three Shillings.

[Read, and]

Resolved that the Sum of Thirty three Shillings be Allowed & Paid out of the Publick Treasury to the Accomptant Benjamin Bagnal in full Discharge thereof. [*Passed December 18.*

CHAPTER 366.

RESOLVE ALLOWING £3 TO L^T ALLISON BROWN.

Legislative Records of the Council, xii., 322.

House Journal, p. 81.

AN ACCOMPT presented by Lieut. Allison Brown of his Charge in Riding Express from Boston to Wells & back Again, Amounting to the Sum of £3.

[Read, and]

Resolved that the Sum of three pounds be Allowed & paid out of the Publick Treasury to the Accomptant Allison Brown in full Discharge thereof. [*Passed December 18.*

CHAPTER 367.

RESOLVE ALLOWING £37. 15. 2 ON ACC^O OF REPAIRS OF Y^E LIGHT HOUSE.

Legislative Records of the Council, xii., 322.

House Journal, p. 81.
Ante, p. 461, chap. 79.

AN ACCOMPT presented by Coll. William Tailer (from the Committee of both Houses) of Disburstments for the Repairs of the Light House Wharf &c on Beacon Island, The Ballance Amounting to the Sum of £37. 15. 2.

[Read, and]

Resolved that the Sum of Thirty Seven Pounds fifteen Shillings & two pence be Allowed & paid out of the Publick Treasury to the Honourable William Tailer Esqr to be by him paid to the persons to Whom the Same is due in full Discharge thereof. [*Passed December 18.*

CHAPTER 368.

RESOLVE FOR MR EVELETHS SUBSISTENCE.

Legislative Records of the Council, xii., 323.

House Journal, p. 78.
Ante, p. 448, chap. 45.

WHEREAS the Revd Mr John Evelith of Arundel hath preached the Gospel at the Towns of Arundel & Biddeford & to the forces there by order of this Court, And No Allowance having been made him for Subsistence whereby to Enable him to perform that good Design;

Resolved that Subsistence be Allowed out of the Publick Treasury from the eleventh day of Janu^y Last to this Time, & that the Treasurer be Impowered & Directed to Allow the Same out of the Persons Accompt that he has Substituted to Deliver out Stores & Subsistance to the Forces thereon. [*Passed December 18.*

CHAPTER 369.

RESOLVE ALLOWING £20. 19 TO JAMES WEBSTER.

A PETITION of James Webster, Praying Some Allowance from this Court for a Wound he received in the Service against the Indian Enemy in February last at St Georges River, He Having been at Considerable Charge,

Read and Accepted and

Resolved That the S$\overline{\text{um}}$ of Ten pounds for Smart Mony, and Ten pounds nineteen shillings for nursing, dyet & Attendance on the petitioner from the 8th of February 172$^{3}/_{4}$ to the 16th of this Instant Decemb^r^ making in the whole the S$\overline{\text{um}}$ of Twenty pounds nineteen shillings be allowed and paid out of the publick Treasury to the petitioner James Webster in Answer to his Petition. [*Passed December 18.*

Legislative Records of the Council, xii., 323. Mass. Archives, lxxii., 212.

Mass. Archives, lxxii., 211. House Journal, pp. 80, 81.

CHAPTER 370.

RESOLVE ALLOWING £12. 14 TO SHER: WINSLOW.

AN ACCOMPT presented by Edward Winslow Esqr for Sundry Disburses & for Expresses &c Amounting to the Sum of £12. 14.

[Read, and]

Resolved that the Sum of Twelve pounds fourteen Shillings be Allowed & Paid out of the Publick Treasury to the Accomptant Edward Winslow Esqr in full Discharge of the Said Accompt. [*Passed December 18.*

Legislative Records of the Council, xii., 323.

House Journal, p. 76.

CHAPTER 371.

ORDER ON JN^O^ KENTS PETITION FOR PURCHASE OF PUBLIC LANDS.

A PETITION of John Kent Representative for the Town of Suffield Praying Liberty to Purchase a Peice of Land of the Quantity of one hundred Acres reserved for the Use of the Province & lying on the South Side of Stony Brook in Suffield near the joining of Northampton & Springfield Roads to Windsor, the Said Land being of no benefit to the Province, & that Some Persons may be Impower'd to view the Land & Set a Value upon it, & to Treat with the petitioner upon the Terms of the Purchase.

Read &

Ordered that Capt John Ashley & Mr William Pynchon be Desired to repair to the Land Petition'd for, view the Quality thereof, And Report to this Court, at their Session in May Next, the Value of the Same. [*Passed December 19.*

Legislative Records of the Council, xii., 324.

House Journal, p. 83.

CHAPTER 372.

RESOLVE FOR PROSECUTING CP^T ADIJAH DEWEY.

Legislative Records of the Council, xii., 324.

House Journal, p. 83. Province Laws, ii., 335.

Resolved that Robert Auckmuty Esqr be Directed & impowered on Behalf of our Sovereign Lord the King, to prosecute Capt Adijah Dewey of Westfield at the Next Inferiour Court of Common Pleas to be Holden at Boston for the County of Suffolk on the first Tuesday in April Next upon a late act of the Province Relating to false Musters, He having continued himself & Sundry Troopers of Said Westfield on his Muster Roll of 1723, & Received Wages therefor, When they were not Actually in the Service, but at home about their Bussiness; Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed December 19.*

CHAPTER 373.

RESOLVE ALLOWING £6. 11. 7 TO JOSH: LEVETS ACC^O.

Legislative Records of the Council, xii., 325.

House Journal, p. 78.

AN ACCOMPT of Joshua Levet for Subsisting Connecticut, Soldiers at Suffield under the Command of Capt Butler, Amounting to the Sum of £6. 11. 7.

[Read, accepted and]

Resolved that the Sum of Six pounds eleven Shillings & Seven pence be allowed & paid out out[1] of the publick Treasury to Mr John Kent to be by him paid to the Said Joshua Levet in full Discharge of the Said Accompt. [*Passed December 19.*

CHAPTER 374.

RESOLVE ALLOWING £2. 2 TO BENJ^A ROLF.

Legislative Records of the Council, xii., 325.

House Journal, p. 83. *Ante*, p. 505, chap. 213.

A SECOND ACCOMPT of Benjamin Rolfe of writing done for the Publick to the 9th Instant, Amounting to the Sum of £2. 2.

[Read, and]

Resolved that the Sum of two pounds two Shillings be Allowed & paid out of the publick Treasury to the Accomptant Benjamin Rolfe in full Discharge thereof. [*Passed December 19.*

CHAPTER 375.

RESOLVE ALLOWING 16/ 8 TO MARY BLISS.

Legislative Records of the Council, xii., 325.

House Journal, p. 82.

AN ACCOMPT of Mary Bliss of Springfield for the Hire of a Horse impress'd for the Publick Service, Amounting to Sixteen Shillings & eight pence

[Read, and]

Resolved that the Sum of Sixteen Shillings & eight pence be Allowed & paid out of the Publick Treasury to Mr William William[1] Pynchon to be by him paid to the Accomptant Mary Bliss in full Discharge thereof. [*Passed December 19.*

[1] *Sic.*

CHAPTER 376.

RESOLVE ALLOWING £9 TO THOS BRADBURY.

A PETITION of Thomas Bradbury, Shewing that in the Year 1721, he being a Soldier under Cpt Johnson Harman, by the Fatigues of his Winter March, contracted a Great Cold, Which brought a Fever upon him, Under which he lay a Considerable Time at great Charge for his Doctor, Nursing &c, That the Revd Mr Samuel Moody of York & his family had been at Considerable Trouble & Expence for him, And therefore Praying an Allowance for the Same.

Legislative Records of the Council, xii., 326.

House Journal, p. 82.

Read [Accepted] &

Resolved that the Sum of Nine pounds be Allowed & paid out of the Publick Treasury to the Petitioner Thos Bradbury to Enable him to pay the Doctors Bill for his Cure, And that the further Sum of Six pounds be Allowed & Paid out of the Publick Treasury to Capt Peter Nowell to be by him paid to the Revd Mr Samuel Moody for his Care & Trouble in Nursing & Attending the Petitioner, during his Said Sickness at his House. [*Passed December 19.*

CHAPTER 377.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF SERGTS COMPANYS IN HAMPSR.

AN ACCOMPT presented by Coll Saml Partridge of Wages & Subsistence due to Several Parties of Soldiers in the County of Hampshire in Separate Commands under Sergeants &c

Legislative Records of the Council, xii., 326.

House Journal, p. 77.

[Read, Accepted and]

Resolved that the Sum of one hundred And Sixty two pounds four Shillings & Six pence be Allowed & paid out of the publick Treasury to Cpt Thomas Wells to be by him repaid to the person or persons to to[1] Whom the Same is due in full Discharge of the wages thereof, And that the further Sum of Ninety pounds twelve Shillings & ten pence be Allowed & Paid out of the Publick Treasury to the Said Capt Wells to be by him repaid to the Person or Persons to whom the Same is Respectively due for Subsisting the Said Men in full Discharge thereof. [*Passed December 21.*

CHAPTER 378.

ORDER ON PETITION OF JOHN CHANDLER ESQR FOR ELIPHLT CARPENTER FOR LICENSE AS AN INNHOLDER.

A PETITION of John Chandler Esqr Representative of the Town of Woodstock, Shewing that the Select Men of the Said Town gave a Certificate of their Approbation of Eliphalet Carpenter for his Keeping a Tavern in the Said Town for the Year Currant Wch the Petitioner brought with him in Order to lay it before the Court of General Sessions of the Peace for the County of Suffolk held in July last, But the Petitioner forgot to Offer the Same, So that the Said Carpenter lapsed his Time by Law allowed for the renewing of Licences, And

Legislative Records of the Council, xii., 328.

House Journal, p. 85.

Province Laws, ii., 203, chap. 1.

[1] *Sic.*

therefore Praying that the Said Court may be Impowered to grant a Licence to the Said Carpenter at their Session to be Held in January Next.

Read &

Ordered that it be Recommended to the Justices of the Peace for the County of Suffolk at their Next General Sessions of the peace to take the Subject Matter of this petition under Consideration, & that they be & hereby are Impowered (If they See Cause) to grant a Licence to the Said Eliphalet Carpenter to be a Taverner in Woodstock, The time by Law appointed for granting Licences for this Present year being elapsed Notwithstanding. [*Passed December 22.*

CHAPTER 379.

RESOLVE ALLOWING WAGES DUE TO SAM^L CLOUGH.

Legislative Records of the Council, xii., 329. Mass. Archives, lxxii., 192.

Mass. Archives, lxxii., 191. House Journal, pp. 53, 86. *Ante*, p. 537, chap. 297.

A PETITION of Mr Thos Hoit of Amesbury, Shewing that Whereas the Wages of one Saml Clough in the Muster Roll of Coll, Johnson Harman to the Value of eight Pounds was Stop'd upon the Account of his Not having returned one of the Province Arms, the Said gun is not worth more than fifty Shillings, as may appear by the Said Coll. Harmans Certificate, Therefore praying that the Remainder of the Said Cloughs Wages may be forthwith paid him

Read and

Resolved That Mr Treasurer be & hereby is impowred and Directed to pay to Mr Thomas Hoite What wages is due to the the[1] said Samuel Clough on Col^o Harmans Last Muster Roll first deducting the S̄um̄ of Fifty shillings for the province Gūn̄, which he has recieved & not returned to Mr Treasurer nor his substitute the said Mr Hoite to pay the Mony he recieves to the s^d samuel Clough or his Order. [*Passed December 22.*

CHAPTER 380.

RESOLVE ALLOWING £350 TO THE L^T GOV^R.

Legislative Records of the Council, xii., 330.

House Journal, p. 88.

Resolved that the Sum of Three Hundred & fifty pounds be Allowed & Paid out of the Publick Treasury to His Honour William Dummer Esqr Lieut Govr & Commander in Chief of this His Majesties Province for his Support to Enable him to Manage the Affairs of the Governm^t. [*Passed December 23.*

CHAPTER 381.

RESOLVE ALLOWING £140 TO Y^E SECRETARY.

Legislative Records of the Council, xii., 330.

House Journal, p. 88.

Resolved that the Sum of One hundred & forty pounds be Allowed & paid out of the publick Treasury to Josiah Willard Josiah Willard[1] Esqr Seeretary of this Province for His Extraordinary Service, The Year Past, And that the further Sum of Forty Pounds be Allowed & Paid out of the publick Treasury to the Said Josiah Willard Esqr In Consideration of the Publick Affairs at this time calling for Sundry

[1] *Sic.*

things to pass that Office necessarily requiring a More Strict Attendance from him to Effect those Matters, Many of which have no Stated fee or Allowance. [*Passed December 23.*

CHAPTER 382.

RESOLVE ALLOWING £30 TO THE CLERK OF THE HOUSE.

In the House of Represent[s]

Resolved that the Sum of Thirty pounds be Allowed & Paid out of the Publick Treasury to John Wainwright Esq[r] Clerk of this House for his Service the Year Currant.

In Council; Read & Concurd. [*Passed December 23.*

Legislative Records of the Council, xii., 331.

House Journal, p. 88.

CHAPTER 383.

RESOLVE ALLOWING £30 TO THE DOOR KEEPER.

Resolved that the Sum of Thirty Pounds be Allowed & paid out of the Publick Treasury to John Flagg Door Keeper to this Court for his Service Half a Year, w[ch] will end the twenty Sixth Currant. [*Passed December 23.*

Legislative Records of the Council, xii., 331.

House Journal, p. 88.

CHAPTER 384.

RESOLVE ALLOWING £22. 18 TO REB: HOLMES.

AN ACCOMPT presented by Rebecca Holmes of the Expences of the Committee of this Court appointed to Confer with the Gentlemen of Rhode Island & of other Committees, Amounting to £22. 18.

[Read, and]

Resolved that the Sum of Twenty Two pounds eighteen Shillings be Allowed & paid out of the Publick Treasury to the Accomptant Rebecca Holmes in full Discharge thereof. [*Passed December 23.*

Legislative Records of the Council, xii., 331.

House Journal, p. 83. *Ante*, p. 540, chap. 309.

CHAPTER 385.

ORDER APPOINTING A COMM[TTEE] REFERRING TO THE SUPPORT OF MINISTERS.

In Council;

Ordered that Sam[l] Sewall, Nath[l] Byfield Edm[d] Quincy & Addington Davenport Esq[rs] with Such as Shall be Appointed by the Honb[le] House of Represent[s] be a Committee in the Recess of this Court to Consider of Some Method to Remedy the Difficultys many of the Ministers of the Gospel ly under by Reason of the low Value of the Bills of Credit, His Honour the Lieut[t] Gov[r] having Recommended the Consideration thereof to this Court in his Speech at the Opening of the Session.

In the House of Represent[s] Read & Concurd &

Ordered that Cap[t] Chambers, M[r] Stone, M[r] Tho[s] Cushing, Coll Bond & M[r] Remington be Added to the Committee on the Affair. [*Passed December 23.*

Legislative Records of the Council, xii., 331.

Legislative Records of the Council, xii., 234. House Journal, p. 88.

CHAPTER 386.

ORDER APPOINTING A COMMTTE TO CONSIDER OF MR THOS HUTCHINSONS PROJECTION REFERRING TO THE BILLS OF CREDIT.

Legislative Records of the Council, xii., 331.

Legislative Records of the Council, xii., 239, 248. House Journal, p. 88. *Ante*, p. 460, chap. 75.

In Council;

Ordered that Edmund Quincy Adam Winthrop Danl Oliver & Thomas Palmer Esqrs with Such as the Honble House of Represents Shall Appoint be a Committee in the Recess of this Court, to take into Consideration the Scheme or Projection of Thomas Hutchinson Esqr for Raising the Value of the Bills of publick Credit & Report their Opinion thereof to this Court at their Next Session

In the House of Represents Read & Concurd, &

Voted that Charles Chambers Esqr Mr Thos Cushing, Mr Treasur Allen & John Alford Esqr be joined in the Affair Above. [*Passed December 23.*

CHAPTER 387.

RESOLVE ALLOWING £3. 4. 6 TO JOSEPH MAYLEM.

Legislative Records of the Council, xii., 332.

House Journal, p. 81.

AN ACCOMPT presented by Joseph Maylem of the Charge of Keepg Henricks the Mowhawks Horse, Amounting to the Sum of £3. 4. 6.

[Read, and]

Resolved that the Sum of Three pounds four Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Joseph Maylem in full Discharge thereof. [*Passed December 23.*

CHAPTER 388.

RESOLVE ALLOWING £40 ADDITIONAL TO THE TREASURER.

Legislative Records of the Council, xii., 332.

House Journal, p. 88.

Resolved that the Sum of forty pounds be Allowed & paid out of the Publick Treasury to Jeremiah Allen Esqr Treasurer And Receiver General of this Province for his Extraordinary Service therein this present Year. [*Passed December 24.*

CHAPTER 389.

RESOLVE ALLOWING £10 TO THE CHAPLAIN OF THE HOUSE.

Legislative Records of the Council, xii., 332. Mass. Archives, xi., 412.

House Journal, p. 88.

Resolved That the Sum of Ten pounds be allowed and paid out of the publick Treasury to Mr Ezekiel Lewis to be by him paid to the Reverend Mr William Cowper who has officiated as Chaplain to the House the year past with the thanks of the House for his said service. [*Passed December 24.*

CHAPTER 390.

RESOLVE ALLOWING £10 TO THE CHAPLAIN OF THE BOARD.

Resolved That the Sum of Ten Pounds be allowed and paid out of the publick Treasury to the Honourable penn Townsend Esqr for the Use of the Reverend Chaplain of the Honourable Board for his Service the year past with thanks for his said service. [*Passed December 24.*

Legislative Records of the Council, xii., 332. Mass. Archives, xi., 411.

House Journal, p. 88.

CHAPTER 391.

RESOLVE ALLOWING £5 TO THE CHAPLAIN OF THE BOARD THE LAST FALL.

IN THE HOUSE OF REPRESENT^VS Whereas a Resolve pass'd the House the 20th of Decem^r 1723, for the Sum of five pounds to be paid to the Honble Penn Townsend Esqr for the Use of the Revd Chaplain of the Honble Board, W^ch was not Concurd By the Board, as they have Informed the House by their Message, And that the Gentleman that Officiated there as Chaplain may not go without a due Consideration;

Resolved That the Sum of Five Pounds be allowed and paid out of the publick Treasury to the Honble PENN TOWNSEND Esqr for the Use of the Reverend Chaplain that officiated at the Honble Board for the time mentioned in the aforesaid Resolve, it being the Same allowance that was made to the Chaplain of the House

In Council

Read & Concur'd. [*Passed December 24.*

Legislative Records of the Council, xii., 332. Mass. Archives, xi., 412.

House Journal, p. 89.

CHAPTER 392.

RESOLVE FOR FURNISHING THE COMMISS^RS TO BE SENT TO CANADA.

Resolved that Mr Treasurer be & hereby is Impowered & Directed to pay & Advance out of the Publick Treasury to the Honoura^e William Dudley & John Stoddard Esq^rs or either of them the Sum of Three Hundred Pounds to Enable them to equip & furnish themselves & Attendants with Necessarys for their Journey as Commissioners on Behalf of this Governm^t To repair to Monsr Vaudreuil Govern^r of Canada on the Message this Court have Desired His Honour the Lieut^t Govern^r to Send them on,

And further that the Said Mr Treasurer be also Directed & Impowered to Pay any Draughts that the Said Commiss^rs or either of them Shall make on him on the Said Message, not exceeding the Sum of three Hundred Pounds, And the Said Commiss^rs or either of them Shall be Accomptable for the Sums the Treasurer Shall pay them or either of them, or their or either of their Order as aforesaid. [*Passed December 24.*

Legislative Records of the Council, xii., 333.

Legislative Records of the Council, xii., 329. House Journal, p. 89.

CHAPTER 393.

VOTE FOR BURYING THE INDIAN SCALPS.

Legislative Records of the Council, xii., 333.

House Journal, p. 88.

Voted that the Treasurer be Directed to bury the Several Indian Scalps now in his Custody in Some Private Place, so as not to be Discovered or produced again. [*Passed December 24.*

CHAPTER 394.

RESOLVE ALLOWING £4. 11. 3 TO COLL JN° CHANDLER.

Legislative Records of the Council, xii., 333.

House Journal, p. 73.

AN ACCOMPT presented by Coll John Chandler of Expresses Sent in the Publick Service, togather with the Subsistence of Soldiers, Amounting to the Sum of £6. 18. 3.

[Read, Accepted and]

Resolved that the Sum of Four Pounds eleven Shillings & three pence be Allowed & paid out of the Publick Treasury to Coll. John Chandler to be by him paid to the Persons to whom the Same is due Agreeable to the Report of the Committee. [*Passed December 24.*

CHAPTER 395.

RESOLVE ALLOWING £378. 5. 3 TO CAPT THOS WELLS ON ACC° OF BILLITING CONNECTICUT SOLDIERS &c.

Legislative Records of the Council, xii., 333.

House Journal, p. 77.

AN ACCOMPT presented by Coll. Sam[l] Partridge of Sundry Charges in the County of Hampshire for Billiting Connecticut Soldiers, Scouting, Sending Expresses &c, Amounting in the Whole to the Sum of £421. 19. 10.

[Read, Accepted and]

Resolved that the Sum of Three hundred & Seventy eight pounds five Shillings & three pence be Allowed & paid out of the Publick Treasury to Cap[t] Tho[s] Wells, to be by him Repaid to the persons to whom the Same is Respectively due in full Discharge of the within Accompt, According to the Several Articles thereof, Agreeable to the Report of the Committee of the House. [*Passed December 24.*

CHAPTER 396.

RESOLVE ALLOWING 40/ TO EB[R] PARSONS.

Legislative Records of the Council, xii., 333.

House Journal, p. 71.

AN ACCOMPT of Ebenezer Parsons of a Saddle of his Impress'd & lost in the Publick Service, Apprized at the Value of forty Shillings

[Read, Accepted and]

Resolved that the Sum of forty Shillings be Allowed & paid out of the publick Treasury to the Said Ebenezer Parsons in full Satisfaction for the Saddle within Mentioned. [*Passed December 24.*

CHAPTER 397.

RESOLVE ALLOWING £3. 4 EACH TO JOS PARKER EBEN^R GREAVES JON^A SHIPLEY & SAM^L PERRY.

A MEMORIAL of Peter Jocelyn, Shewing that by order of Coll. Buckminster he Posted four Soldiers, viz, Joseph Parker, Ebenezer Graves, Jonath^n Shipley & Saml Perry at Turkey Hills, That they all Continued in the Service there from the Second of September 1723 to the Second of Octo^r following, And therefore praying that the Said Soldiers may be Allowed their Wages & Subsistence for the Time of their Service.

Legislative Records of the Council, xii., 333.

House Journal, pp. 19, 20.

Read [Accepted] &

Resolved that the Sum of twelve pounds Sixteen Shillings be Allowed & paid out of the Publick Treasury to the S^d Joseph Parker, Ebenezer Greaves, Jon^a Shipley & Saml Perry in equal Proportion in full Satisfaction of the Within Memorial. [*Passed December 24.*

CHAPTER 398.

RESOLVE ALLOWING 21/ TO JATHNIEL PECK.

A PETITION of Jathniel Peck late a Soldier in His Majesties Service Eastward, Praying to be Allowed Twenty one Shillings (His wages being carried out So much Short in the Muster Roll of Cp^t Saml Wheelwright) & fifteen Shillings & four pence for the Time of his Travelling Home after his Dismission

Legislative Records of the Council, xii., 334.

House Journal, p. 18.

Read &

Resolved that the Sum of Twenty one Shillings be Allowed & paid out of the Publick Treasury to Mr Edward Shove for the Use of the Said Jathniel Peck in full for the afores^d Service. [*Passed December 24.*

CHAPTER 399.

RESOLVE ALLOWING PAYMENT OF HER HUSBAND'S WAGES TO MARY RANSOM.

A PETITION of Saml Sturtivant in Behalf of Mary Ransom, Widow Praying that She may be Impowered to Receive out of the Publick Treasury the wages due to her late Husband Joshua Ransom, who was Kill'd by the Indians at St Georges, & has left no other Estate to be Administer'd on.

Legislative Records of the Council, xii., 334.

House Journal, p. 50.

Read &

Resolved that the Treasurer be & hereby is Impowered & Directed to pay to Mr Saml Sturtivant for the Use of the Said Mary Ransom, what wages was due to her Deceas^d Husband at the Time of his being Slain. [*Passed December 24.*

CHAPTER 400.

ORDER ON BRIDGEWATER COMMITTEES REPORT OF Y^E LINE BETWEEN THE SOUTH & EAST PRECINCTS IN BRIDGEWATER.

Legislative Records of the Council, xii., 334.

House Journal, p. 35. *Ante*, p. 442, chap. 29.

WHEREAS the General Court at their Session in June 1724, upon the Petition of Richard Davenport & Daniel Hudson, Directed the Committee to explain the Boundarys of the Precincts; viz, the East & South Precincts of the Town of Bridgewater, We the Said Committee having reviewed the Said Boundaries between the South & east Precincts, do agree that the Bounds between the South & east Precincts be as follows; Viz, The great Road leading from Plymouth to Bridgewater until it comes to William Connets Bridge (So Called) be the boundarys So far, And after that on the west Side of the Said Bridge, the Boundarys Shall be the Road leading from the Said Bridge near the House of Nathaniel Howard until it meets with the line, which divides between the North & South Precinct of ye S^d Town

(Signd) SAM^L THAXTER, In the Name of the Committee

Read &

Ordered that this Report be Accepted, And that the Dividing Line between the South & East Precincts of Bridgewater be Settled Accordingly. [*Passed December 24.*

CHAPTER 401.

RESOLVE ALLOWING £2. 19 TO COLL. SAM^L THAXTER.

Legislative Records of the Council, xii., 335.

House Journal, p. 17. *Ante*, p. 492, chap. 174.

AN ACCOMPT presented by Coll. Saml Thaxter of the Charge of the Committee of Running the Line between the Town of Bridgewater & the Indian Lands at Tetticut, Amounting to the Sum of £5. 18.

[Read and]

Resolved that the Sum of Two pounds Nineteen Shillings be Allowed & paid out of the Publick Treasury, And the further Sum of Two pounds Nineteen Shillings be paid by the Town of Bridgewater to Saml Thaxter Esqr for the Use of the Committee in full for the Said Service. [*Passed December 24.*

CHAPTER 402.

RESOLVE ALLOWING £7. 4 TO CP^T SAM^L HINKS.

Legislative Records of the Council, xii., 335.

House Journal, p. 64.

AN ACCOMPT presented by Capt Saml Hinks of Disburstm^ts for wooding His Majesties Fort Mary at Winter Harbour, for this Present Year, Amounting to the Sum of £7. 4.

[Read, Accepted and]

Resolved that the Sum of Seven pounds & four Shillings be Allowed & paid out of the Publick Treasury to the Said Sam^ll Hinks in full Discharge thereof. [*Passed December 24.*

CHAPTER 403.

RESOLVE ALLOWING £7. 5. 6 TO DR JOS: PEIRCE.

AN ACCOMPT presented by Dr Joseph Peirce for Medicines & Attendance on Several Sick Soldiers Belonging to the Company under the Command of Lieut. Coll. Johnson Harman, Amounting to the Sum of £10. 5. 6.

Legislative Records of the Council, xii., 335.

House Journal, p. 54.

[Read, Accepted and]

Resolved that the Sum of Seven Pounds five Shillings & Six pence be Allowed & paid out of the Publick Treasury to the Accomptant Dr Joseph Peirce in full Discharge of the within Accompt. [*Passed December 24.*

CHAPTER 404.

VOTE ADDING CAPT. POMEROY TO THE COMMTTEE FOR HOUSATANNUCK NEW TOWNS.

Legislative Records of the Council, xii., 335.

Voted that Capt Ebenr Pomroy be added to the Committee appointed to Settle two New Towns at Housatannuck in the Room of Samuel Porter Esqr Deceasd. [*Passed December 24.*

House Journal, p. 80. *Ante*, p. 189, chap. 82.

RESOLVES, ORDERS, VOTES, ETC.

Passed 1725–26.

LEGISLATIVE LIST[1]

FOR

1725–26.

THE HONORABLE WILLIAM DUMMER, ESQ., LIEUT. GOVERNOR,

CAPTAIN-GENERAL AND GOVERNOR-IN-CHIEF, ETC.

JOSIAH WILLARD, ESQ.,

SECRETARY OF THE PROVINCE.

COUNCILLORS OR ASSISTANTS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly Called the Colony of the Massachusetts Bay;

WILLIAM TAILER	ESQRS.	SAMUEL BROWN	ESQRS.
SAMUEL SEWALL		EDMUND QUINCY	
PENN TOWNSEND		ADAM WINTHROP	
NATHANIEL BYFIELD		JONATHAN DOWSE	
BENJAMIN LYNDE		PAUL DUDLEY	
ADDINGTON DAVENPORT		SAMUEL THAXTER	
THOMAS HUTCHINSON		JOHN TURNER	
JOHN CLARK		DANIEL OLIVER	
THOMAS FITCH		THOMAS PALMER	

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Colony of New Plymouth;

JOHN CUSHING, JOHN OTIS & MELETIAH BOURN, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory formerly called the Province of Mayn;

JOHN WHEELWRIGHT, JOSEPH HAMMOND & EDWARD HUTCHINSON, ESQRS.

Of the Inhabitants of or Proprietors of Lands within the Territory lying between the River of Sagadahock & Nova Scotia;

SPENCER PHIPS, ESQ.

[1] See Legislative Records of the Council, xii., 339–342.

For the Province, at large: —

ELISA[1] COOK & SYMONDS EPES, ESQRS.

REPRESENTATIVES OR DEPUTIES.

May 26, 1725 to April 14, 1726.

MR. WILLIAM DUDLEY, SPEAKER.

COUNTY OF SUFFOLK.

Boston, . . . Mr. Isaiah Tay,
Mr. William Clark,
Mr. Ezekiel Lewis,
Mr. Thomas Cushing.
Roxbury, . . William Dudley, Esq.
Dorchester, . . Major Thomas Tilestone.
Milton, . . . Mr. John Wadsworth.
Brantry, . . . John Quincy, Esq.
Weymouth, . . Mr. John Torrey.
Hingham, . . Capt. Thomas Loring.
Dedhem, . . . Mr. Joshua Fisher.
Medfield, . . Mr. Soloman Clark.
Mendon, . . . Mr. John Brown.
Wrentham, . . Mr. Robert Blake.
Brookline, . . Mr. Edward White.
Woodstock, . . John Chandler, Esq.

COUNTY OF ESSEX.

Salem, . . . Timothy Lindal, Esq.,
Capt. Daniel Epes
Ipswich, . . . John Wainwright, Esq.,
Mr. Thomas Choat.
Newbury, . . Capt. Henry Rolfe.
Lyn, ... Theophelus Burrill, Esq.
Marblehead, . Mr. John Oulton.
Haverhill, . . Mr. John Saunders.
Rowley, . . . Mr. John Hobson.
Salisbury, . . Mr. Jeremiah Stevens.
Andover, . . Mr. Benjamin Barker.
Topsfield, . . Mr. John Howlet.
Boxford, . . . Mr. Joseph Hale.
Bradford, . . Mr. Samuel Tenny.
Beverly, . . . Mr. John Raymond.
Wenham, . . Mr. William Rogers.
Glocester, . . Mr. Samuel Stevens.
Amesbury, . . Mr. Joseph Davis.

COUNTY OF MIDDLESEX.

Cambridge, . . Jonathan Remington, Esq.
Charlestown, . Henry Phillips, Esq.,
Mr. Joseph Lemmond.
Watertown, . . Jonas Bond, Esq.

COUNTY OF MIDDLESEX — *Concluded.*

Concord, . . . Capt. William Wilson.
Newtown, . . Mr. Richard Ward.
Marlborô, . . Mr. Caleb Rice.
Sudbury, . . Mr. John Rice.
Lancaster, . . Mr. Joseph Wilder.
Groton, . . . Mr. John Shipley.
Framingham, . Capt. Edward Goddard.
Chelmsford, . Mr. Stephen Peirce.
Billerica, . . Mr. John Blanchard.
Woburn, . . . Mr. Daniel Peirce.
Reading, . . Mr. Thomas Bancraft.
Maulding, . . Mr. Jonathan Sergeant.
Lexington, . . Capt. Joseph Eastabrook.
Weston, . . . Mr. Josiah Jones.
Dunstable, . . Eleazer Tyng, Esq.
Leicester, . . John Menzies, Esq.
Littleton, . . Capt. Isaac Powers.
Sherburn, . . Capt. Samuel Bullard.

COUNTY OF HAMPSHIRE.

Springfield, . Mr. William Pynchon.
Northampton, . John Stoddard, Esq.
Hadley, . . . Mr. Westwood Cook.
Hatfield, . . . Henry Dwight, Esq.
Westfield, . . John Ashley, Esq.
Suffield, . . . Mr. John Kent.
Deerfield, . . Capt. Thomas Wells.

COUNTY OF PLYMOUTH.

Plymouth, . . Capt. Benjamin Warren.
Scituate, . . . Mr. Thomas Bryant.
Marshfield, . . Mr. John Kent.
Duxbury, . . Mr. Samuel Sprague.
Bridgewater, . Mr. Thomas Ames.
Middleborô, . Mr. Nathaniel Southward.
Rochester, . . Mr. Thomas Turner.
Plimpton, . . Mr. Isaac Cushman.
Pembrook, . . Mr. Elisha Busby.

COUNTY OF BARNSTABLE.

Barnstable, . . Shubal Gorham, Esq.
Yarmouth, . . Capt. Ebenezer Haws.

[1] *Sic.*

COUNTY OF BARNSTABLE — *Concluded.*

Sandwich, . . Ezra Bourn, Esq.
Eastham, . . Mr. John Payne.
Harwich, . . Capt. Edmund Freeman.
Truro, . . . Mr. John Snow.

COUNTY OF BRISTOL.

Bristol, . . . Nathaniel Payne, Esq.
Taunton, . . Seth Williams, Esq.
Swanzey, . . Mr. Ephraim Peirce.
Rehoboth, . . Mr. Joseph Peck.
Little Compton, Thomas Church, Esq.
Dighton, . . . Mr. Edward Shove.
Tiverton, . . Mr. Gershom Woodall.
Attleborô, . . Capt. John Forster.
Norton, . . . Mr. William Stone.

COUNTY OF BRISTOL — *Concluded.*

Dartmouth, . . Mr. Henry Howland.
Freetown, . . Thomas Terry, Esq.

DUKES COUNTY.

Edgartown, . Mr. John Norton.

COUNTY OF YORK.

York, ... Samuel Came, Esq.
Kittery, . . . Capt. Nicholas Shapleigh.
Berwick, . . Mr. James Grant.
Wells, . . . Mr. Dependence Littlefield.
Falmouth, . . Samuel Moodey, Esq.

IN THE COUNTY OF NANTUCKET.

Sherburn, . . George Bunker, Esq.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE TWENTY-SIXTH DAY OF MAY, A.D. 1725.

CHAPTER 1.

ORDER ALLOWING THE ACC^{O} OF THE CO^{Y} TREAS^{R} OF MIDDLESEX.

AN ACCOMPT was presented by Mr Daniel Russell Treasurer for the County of Middlesex for the Year 1724, W^{ch} having been laid before the Court of General Sessions of the Peace for the Said County & by them Approved & Allowed of,

Read & Accepted &

Ordered that this Accompt be Allowed of. [*Passed May 28.*

Legislative Records of the Council, xii., 344.

House Journal, p. 8.

CHAPTER 2.

VOTE FOR CELEBRATING HIS MAJ^{ES} BIRTH DAY.

THIS being the Happy Anniversary of His Majesties Birth Day, And the Great & General Court or Assembly of this Province being now Convened;

Voted that it is the Unanimous Desire of this House, That the Court may Express their Duty & Loyalty to His Majestie & the Royal Family, And therefore' Propose the Court House as a Proper Place for the Court to Express themselves on this Joyfull Occasion in the After part of the Day. [*Passed May 28.*

Legislative Records of the Council, xii., 344.

House Journal, p. 8.

CHAPTER 3.

ORDER ALLOWING ACCOUNT OF THE CO: TREASURER OF HAMPSHIRE.

AN ACCOMPT of Joseph Hawley Treasurer of the County of Hampshire for the Year 1724, having been presented to the Court of General Sessions of the Peace for the Said County, And by the Said Court Approved of And Allowed.

Read & Accepted &

Ordered that this Accompt be Allowed. [*Passed May 29.*

Legislative Records of the Council, xii., 345.

House Journal, p. 9.

CHAPTER 4.

ORDER ALLOWING ACCOUNT OF THE CO: TREASURER OF BRISTOL.

Legislative Records of the Council, xii., 345.

House Journal, p. 9.

AN ACCOMPT of Capt William Throop Treasurer of the County of Bristol for the year 1724, having been laid before the Court of General Sessions of the Peace for the Said County & by the Said Court Allowed.

Read & Accepted &

Ordered that this Accompt be Allowed. [*Passed May 29.*

CHAPTER 5.

ORDER ALLOWING ACCOUNT OF THE CO TREASURER OF PLYMOUTH.

Legislative Records of the Council, xii., 345.

House Journal, p. 9.

AN ACCOMPT of John Dyer Treasurer of the County of Plymouth for the Year 1724, Having been laid before the Court of General Sessions of the Peace for the Said County, & by the Said Court approved & Allowed of,

Read & Accepted &

Ordered that this Accompt be Allowed. [*Passed May 29.*

CHAPTER 6.

ORDER CREATING NEW PRECINCT IN AMESBURY.

Legislative Records of the Council, xii., 345.

House Journal, p. 9.

A PETITION of Mr Joseph Davis Representative of the Town of Amesbury in Behalf of the Said Town Setting forth that they have VOTED that there be a Divisional Line betwixt the East & West ends of the Said Town, to begin at the Mouth of Nichols's Creek, & So up Said Creek, as the Brook runs to the Country Road, And then on a North Line to a Pond call'd Kimbals Pond, & So Bounding on the Said Pond to the Black River So called, & then up the Said River as the River goes to the Head of the Said River, From thence to the Head of a Brook called Bartlets Brook, to Bartlets' Saw Mill, & So from thence as the Brook runs to the Pond called the Country Pond, And that all the Land that lies Southerly & Westerly of the Said line belong to the West end of the Said Town for the Maintaining of a Minister at the upper End of ye Said Town, And all the Lands that ly Northerly & Easterly of the Said Line to belong to the East End of the Said Town, for the Maintaining of a Minister at the Lower End of the Said Town, Which Vote respecting a Divisional Line was Confirmed at a Meeting of the Inhabitants in April Last, as far as in them lay, And it was at the Same Time Voted that the Inhabitants of the Upper Part or Precinct shall have And enjoy Half the Parsonage Lands & Meadows Conditionally, That they Shall pay one Half of the Charge that Shall Arise for the Support of the Revd Mr Wells, If he Shall be Disabled from carrying on the Work of the Ministry, & also Shall pay to Mrs Welles the one Half of what must be paid to her by the Towns Agreemt And Praying that this Court would Confirm & Establish the vote for a Divisional Line between the two Parts of the Said Town & the other Votes herein referred to.

Read &

Ordered that the Prayer of the Petition be So far granted as that the Town of Amesbury be & hereby is Divided into into[1] Two Separate & Destinct Precincts by the Line Mentioned & Described in the Petition and that each of them Shall Have, exercise & enjoy the Same Powers & Privileges with the other Precincts within this Province. [*Passed May 29.*

CHAPTER 7.

RESOLVE ALLOWING £11. 18. 6 TO SHER: WINSLOW.

An Accompt presented by Edward Winslow Sheriff, of the Charge of a Sword & Belt presented to Capt Wyman by the Lieut. Governr & Council, Amounting to the Sum of £11. 18. 6.

Legislative Records of the Council, xii., 347.

[Read, and]

House Journal, p. 12.

Resolved that the Sum of Eleven pounds eighteen Shillings & Six pence[2] be Allowed & paid out of the publick Treasury to Edward Winslow Esqr in full Discharge of the within Accompt. [*Passed June 1.*

CHAPTER 8.

RESOLVE ALLOWING £19. 2 TO BART: GREEN.

An Accompt presented by Bartholomew Green of the Charge of paper & Printing of Proclamations Acts of the General Assembly, Muster Rolls Treasurers Warrants &c Amounting to the Sum of £19. 2.

Legislative Records of the Council, xii., 347.

House Journal, p. 13.

[Read and]

Resolved that the Sum of Nineteen Pounds two Shillings be Allowed & paid out of the publick Treasury to the Accomptant Bartholemew Green in full Discharge thereof. [*Passed June 1.*

CHAPTER 9.

RESOLVE ALLOWING £32. 12. 6 TO GREEN & KNEELAND.

An Accompt presented by Bartholemew Green & Saml Kneeland of Paper & Printing of the Votes of the Representvs for the Session held in Novemr last, Amounting to the Sum of £32. 12. 6.

Legislative Records of the Council, xii., 347.

[Read, and]

House Journal, p. 13.

Resolved that the Sum of Thirty two pounds twelve Shillings & Six pence be Allowed & paid out of the Publick Treasury to Bartholemew Green & Samuel Kneeland the Accomptants in full Discharge thereof. [*Passed June 1.*

[1] *Sic.*
[2] Executive Records of the Council, viii., 213, reads, £11. 8. 6.

CHAPTER 10.

RESOLVE ALLOWING £6. 6. 8 TO D^R JOS: TODD.

Legislative Records of the Council, xii., 348.

House Journal, p. 12.

AN ACCOMPT presented by Dr Joseph Todd of Medicines And Attendance for Samuel Frere a Soldier taken Sick at Rowley in April last, togather with his Diet & Nursing, Amounting to the Sum of £6. 6. 8. [Read, Accepted and]

Resolved that the Sum of Six pounds Six Shillings & Eight pence be Allowed & paid out of the Publick Treasury to the Accomp^t Joseph Todd: in full Discharge of the Said Accompt. [*Passed June 1.*

CHAPTER 11.

ORDER ON PETITION OF THE INHABITANTS OF MEDFEILD & OTHERS FOR A TRACT OF PROVINCE LAND.

Legislative Records of the Council, xii., 348.

House Journal, p. 71 (December, 1723); p. 10 (May, 1724); p. 10.

A PETITION of Several Inhabitants of the Town of Medfield and other Towns within this Province, Shewing that there is a Tract of Province Land lying between the Towns of Oxford Brimfield & Brookfield & the Province Line, which is Capable of being made into a Township, & upon which the Petitioners are Desireous to Settle themselves or their Children, And therefore Praying a Grant of the Said Land, Under Such Restrictions & Regulations as to this Court shall Seem most proper & Reasonable.

Read & Refer'd to the Next May Session for further Consideration, And that in the Mean Time John Chandler Esqr with Two Chain Men under Oath be Directed to Survey the Lands petition'd for at the Charge of the Province, And return a a[1] Plat thereof to this Court at the Said Session, And that he be Directed to set forth the Farms of Lands already Granted which may fall within the line of the Lands petitioned for. [*Passed June 1.*

CHAPTER 12.

ORDER ACCEPTING THE COMMITTEES REPORT ABOUT THE LINE BETWEEN THE PARISHES IN CHELMSFORD.

Legislative Records of the Council, xii., 348.

House Journal, p. 14.
Ante, p. 516, chap. 239.

PURSUANT to the Above Written Order [*ante*, p. 516] of the great & General Court We the Subscribers togather with Coll. Tyng, being three of the Committee formerly appointed by the General Court, being Attended with a Suitable Surveyour & Chain Men repair'd, to the Town of Chelmsford, & there ran the Divisional Line between the two parts of the Said Town of Chelmsford as follows; viz, We began the Divisional Line on the Southerly Side of the Town, We made a Bound Stake & Stones 183 Poles Easterly of a Pillar of Stones Called Bloods Corner, And ran north & made bounds on Said Line, First, Stake & Stones by a White oak, next Stake & Stones About Sixty Poles East of Jonathan Proctors House, Then a Stake about eighty Poles east of Thomas Robbins, then a Little Pitch Pine Marked about fifty poles West of Adams's, Then an other little pitch pine mark'd & Stones laid to it, then a Small

[1] *Sic.*

Chesnut mark'd & Stones laid to it, about Sixty Poles east of Ebenezer Wrights, Then a Walnut with Stones by it about fifty Poles South East from Joseph Kyes's; next a Little black Oak, then, a Pitch pine mark'd, about twenty Poles North of Stoney Brook Bridge, that is below the Old Saw Mill; Then a Little black Oak with Stones, Then a Pitch'd pine Tree mark'd on the westerly End of a little Island in the Meadow Called Captains Meadow, & the Same line to Coll. Tyngs Farm which is Dunstable Line, As by a Plan thereof taken by Capt Joseph Burnap, herewith presented, may more fully Appear

Spencer Phips
June 1st 1725, (Sign'd) Henry Phillips

Read &

Ordered that this Report be Accepted, And that the Divisional Line between the two Precincts in Chelmsford be And hereby is Settled & Established accordingly & Agreeable to the Plat herewith Exhibited. [*Passed June 1.*

CHAPTER 13.

VOTE ACCEPTING THE COMMITTEES REPORT FOR THE BETTER PROSECUTION OF THE WAR.

William Tailer Esqr from the Committee of both Houses on that Part of His Honour the Lieut Governrs Speech that Relates to the Prosecution of the War, gave in their Report; Which was Read & Accepted by both Houses with Amendments And as So Amended is as follows; viz,

Legislative Records of the Council, xii., 349.

Legislative Records of the Council, xii., 257, 343, 346. House Journal, p. 16. Province Laws, ii., 258, chap. 9; 333, chap. 6. *Ante*, p. 363, chap. 232.

The Committee appointed to take under their Consideration that part of His Honours Speech to the Court which relates to the War, Report their Opinion as follows: First, That His Honour the Lieut Governr & Commander in Chief be Desired to take Effectual Care to give Such Necessary Orders, That the Several Frontiers both in the Eastern & Western Parts of the Province be Secured & put in a good Posture of Defence; Secondly, That there be humbly laid before His Majesty a full Representation & Complaint of the Conduct & Management of the Governour of Canada in his Setting on & Encouraging & Assisting the Eastern & other Indians in their Unjust War, Barbaritys & Cruelties on his Majesties Subjects, And the French Kings Subjects in Canada, their Detaining the British Subjects, & Buying & Selling them like Slaves, Contrary to the Peace & Good Agreem t between the Nations: Thirdly, That His Majestie be Humbly & earnestly Address'd to lay his Commands on the three Neighbouring Governments; viz t New York Connecticut, & Rhode Island to furnish their Quota for the Assistance of this Province in the War we are Engaged in with the Indian Enemy.

Fourthly that His Honour the Lieut Governr be Desired in the Name of this Court to Write a very Pressing letter to His Excellency Governr Burnet to inform him that the Seataeook Indians, who are Subjects of His Majestie & in or near Albany, & have divers Times made & Renewed Friendship with us (Particularly in the Year 1723, first with our Commissioners at Albany & Afterwards with our General Assembly at Boston) have many of them withdrawn & engaged in the War Against us Notwithstanding which they have been and are received, entertained & harboured in & About Albany, And to Demand of Gov r Burnet, That those Indians be Seized & Secured.

Fifthly, That a Suitable Encouragement be given to Voluntiers of able bodys & every way fit for Service, To range the Woods & prose-

cute the Indian Enemy vigorously at a Distance from the Frontier Towns, the Encouragement to continue from the Enlistment to the first day of Novem^r Next; Viz, That a Captain & fifty Men or More be Allowed After the rate of Ten pounds per Month, One Lieut^t of the Like Number of men be Allowed eight pounds per Month, & three Sergeants Six Pounds ten Shillings per Month each, & Private Centinals have Allowed five pounds twelve Shillings per Month, And in the like proportion both as to the Number of Men and the Time, Provided the Said Voluntiers & the Officers Keep fair Journals of their Proceedings; And for their further Encouragement the Said Voluntiers Shall be entituled to the Premiums & Benefits allowed to Voluntiers without Pay & Subsistance; And both Officers & Men Shall be under the Commands, Pains, forfietures, Penalties And Punishment that the Detach'd Forces are under & Subject to by the Laws of the Province.

Sixthly that the Detach'd Forces be entituled to the Premiums for Scalps of the Indian Enemy or Prisoners taken in any of the Marchings or Scoutings, that the Voluntiers without Pay or Subsistence are entituled to by Law: Seventhly, that the Lieut. Govern^r be Desired to Move Govern^r Talcott of Connecticut by a Message, That he will encourage and countenance any Suitable Person or Persons to be Appointed by the Lieut^t Govern^r to Enlist a Number of the Connecticut Indians to engage with us in the Prosecution of our Indian Enemys, W^ch Connecticut Indians upon their Enlisting & Proceeding Shall be entituled to the Same pay & Premiums as the Detach'd Forces have as before Projected: Eighthly, That if upon the Aforesaid Encouragment many of the Inhabitants of the Frontiers Shall Enlist themselves as Voluntiers & Proceed in the Service against the Enemy, That the Lieut^t Govern^r be Desired to Send a Suitable number of Men to Strengthen those Towns from whence the Voluntiers go, during their Absence, If his Honour think Needfull: Ninthly that there be Magazines well furnished with Provisions, Stores of war, & Surgeons Stores in Such Places on the frontiers as Shall be judged Necessary for the Supplying of the Men that may resort thither, either Voluntiers or others, And the Commanding Officer or Store Keeper Shall be Impowered to deliver out any part thereof, to the Officers commanding any Party or Company of Men, Taking their Receipts therefor, And to Transmit to the Treasurer Such Receipts, that so the Value thereof may be Repaid the Province out of their Wages. [*Passed June 2.*

CHAPTER 14.

ORDER ALLOWING CO TREASURER OF SUFFOLK'S ACC^o.

Legislative Records of the Council, xii., 351.

House Journal, p. 16.

AN ACCOMPT of Samuel Checkley Esqr Treasurer of the County of Suffolk for the Year 1724, Having been by him presented to the Court of General Sessions of the Peace for the Said County & by them Allowed.

Read & Accepted &

Ordered that this Accompt be Allowed. [*Passed June 2.*

CHAPTER 15.

RESOLVE ALLOWING £19. 18 TO EDWD WINSLOW ESQR.

An Accompt of Edward Winslow Esqr Sheriff of Expences on His Majestys Birth day by order of the Court, Amounting to the Sum of £19. 18.

Legislative Records of the Council, xii., 351.

[Read, and]

House Journal, p. 14.

Resolved that the Sum of Nineteen pounds eighteen Shillings be Allowed & Paid out of the publick Treasury to Edward Winslow Esqr to be by him Repaid to the persons to Whom the Same is due in full Discharge of the Said Accompt. [*Passed June 2.*

Ante, p. 577, chap. 2.

CHAPTER 16.

RESOLVE ALLOWING £12. 16 TO RACHL LUNDE.

An Accompt presented by Rachel Lunde of the Charge of Doctors Attendence, Provisions &c for Several Wounded men of Capt Lovewells Company returned to Dunstable, Amounting to the Sum of £12. 16.

Legislative Records of the Council, xii., 351.

[Read, Accepted and]

House Journal, p. 16.

Resolved that the Sum of Twelve pounds Sixteen Shillings be Allowed & paid out of the Publick Treasury to Rachel Lunde the Accomptant in full Discharge thereof. [*Passed June 2.*

CHAPTER 17.

ORDER ON NATHAN & ZACCHEUS WICKETS MEMO FOR PERMISSION TO SELL LANDS CALLED OYSTER ISLAND.

A Memorial of Nathan Wicket & Zaccheus Wicket Indians of Bridgewater, Setting forth that they have formerly petition'd the General Court for Liberty to Make Sale of their Land called Oyster Island, lying in the County of Barnstable but have not as yet obtained their Favour therein, And Praying that this Court would please to Order the Selling of the Said Lands that so the petitioners may be enabled to Discharge their Debts contracted by Several Law Suits for the Defence of their just Right, And that some Suitable Persons may be appointed to oversee the Said Sale, & take care that justice be done the Petitioners.

Legislative Records of the Council, xii., 351.

House Journal, p. 16.

Read &

Ordered that the Justices of the Inferiour Court of Common Pleas of the County of Plymouth be desired to enquire into the quantity of the Land Mention'd in the Petition, and the Value & Yearly Profits thereof, as also to adjust & Settle the Accompts of the Petitioners Debts and more Especially the Demands of Daniel Parker Esqr And to Consider the the[1] Circumstances of the Said Indians & how they may be Supported, If the Island Should be Sold, And make Report of their doings thereon to this Court at their Next fall Session. [*Passed June 2.*

[1] *Sic.*

CHAPTER 18.

RESOLVE ALLOWING £6. 9. 11 TO CHRIST: SITTIN.

Legislative Records of the Council, xii., 352.

House Journal, p. 15.

A PETITION of Christopher Sittin a Soldier in his Majesties Service at Fort Dummer, Shewing that he being a Carpenter by Trade was employed in Building the Said Fort, & by hard Service, Scouting & Labour, was Reduced to a very low State of Health & was Advised by the Doctors to Remove to the Sea Side for recovery of his Health, Which he did, and there expended the Sum of Six pounds Nine Shillings & eleven pence in Midicines & Attendance, Praying the Allowance of the Said Sum out of the Publick Treasury.

Read &

Resolved that the Sum of Six pounds Nine Shillings & eleven pence be Allowed & paid out of the Publick Treasury to the Said Christopher Sitten in full Discharge of the Expences within Mentioned. [*Passed June 3.*

CHAPTER 19.

ORDER GRANTING THO^S DEBUKES PETITION FOR TRIAL OF APPEALS.

Legislative Records of the Council, xii., 352.

House Journal, pp. 20, 21. *Ante*, p. 531, chap. 283.

THE PETITION of Thomas Debuke [*ante*, p. 531]

[Read and]

Ordered that the petitioner be & hereby is Authorized & Impowered to have a Tryal by a Jury of the Two appeals. Mentioned in the Petition at the Next Superiour Court of Judicature to be Held at Springfield for the County of Hampshire & that the Justices of the Said Court be Impowered & Directed to Hear & Determine the Said Appeal, Accordingly Any Law Usage or Custom to the Contrary Notwithstanding.

And further

Ordered that Executions on the Judgements in the Said Causes as also on the Judgement obtained by the Petitioner against the Said Bascomb (which is referred to in this Answer) be Suspended till the Issue of the Said Trials. [*Passed June 3.*

CHAPTER 20.

ORDER ON PETITION OF THE TOWN OF DORCHESTER IN REGARD TO TAXES.

Legislative Records of the Council, xii., 354.

House Journal, p. 15. *Ante*, p. 500, chap. 197.

A PETITION of Major Thomas Tileston Representative of the Town of Dorchester in behalf of the Said Town, Shewing that in the Months of November & December last the Said Town Granted two taxes of £131 Part of which; Viz, Twenty four pounds Nineteen Shillings Should have been Collected by Samuel Scott late Constable of Said Town, Which Said Scott with others of the Westermost Part of the Said Town of Dorchester were Set off by the Court the last Year, & Annexed to the Town of Wrentham, But the Said Scott hath not collected any Part of the Said Sum of £24. 19 And therefore Praying that as the Said Town is without Remedy for Getting the Said Sum collected, That this Court would Afford them Such Relief in the Premises as they Shall Judge Meet.

Read & In Answer to this Petition

Ordered that John Rhodes one of the Present Constables or collectors of Dorchester be Impowered & Directed to Collect & Gather the Tax or Rate made by the Assessors for the Last Year (& Sent to Samuel Scot the Late Constable of that Town) of the Inhabitants & Persons in the List named now belonging to Dorchester, Any Omision or Neglect. Notwithstanding, The Town making due Allowance therefor. [*Passed June 3.*

CHAPTER 21.

VOTE ORDERING TOWN MEETINGS IN HAVERHILL.

Whereas at the Anniversary Town Meeting in the Town of Haverhill held in March Last, there happened to be two Contending Parties who Assembled in the Meeting House on the Second day of the Said Month (being the day appointed by the Select Men of the Said Town for the Last Year,) & did then & there Chuse two Setts of Town Officers, as Town Clerk, Town Treasurer, Select Men &c for the Year Currant, Whereby great Difficulties have Arisen in the Said Town, And Considerable Expence occasioned in the Law, And it is to be feared that no good order or Government can be Supported or Maintain'd, Unless Some Speedy care be taken to prevent those Disorders; For preventing whereof,

Legislative Records of the Council, xii., 354.

House Journal, pp. 17, 18.

It is

Ordered & *Resolved* by this great & General Court & by the Authority thereof, That Joshua Swan & Nathan[l] Peseby the Constables of the Town of Haverhill for the Year 1724, be & hereby are Directed & Required to Notify & Warn the Free Holders & Other Inhabitants of the Town of Haverhill qualified by Law, to Assemble & Convene at the Meeting House in Haverhill on Wednesday the Ninth day of June Instant at ten of the Clock in the fore Noon, Then & there to Chuse all Town Officers which the Law Directs & Requires Towns to Chuse in the Month of March Annually, And that the Said Swan & Pesely make return of their doings to the Moderator hereafter named one hour at least before the Time appointed for the Towns Meeting, And that Richard Kent Esq[r] be Desired to be present at the Said Meeting, And he is hereby Impowered to Moderate the Affairs thereof & to take Care that the Same be orderly Managed, And that no other Person be Allowed to Vote there, but Such as are lawfully qualified; And y[t] the Aforesaid Meetings held the Second day of March as aforesaid, & all Proceedings & Votes of each Party be & hereby are declared Null & void & of none Effect Any Law Usage or Custom to the Contrary in any wise Notwithstanding, And the Charge to be born as this Court shall order. [*Passed June 4.*

CHAPTER 22.

ORDER GRANTING REBECA COLLIN'S PETITION FOR POWER TO EXECUTE A DEED.

A Petition of Rebecca Collins, Relict Widow & Administrator to the Estate of Daniel Collins late of Boston Deceas[d] Shewing, that one Eleazer Collins late of Lyn Deceas[d] gave a Deed to the Said Daniel

Legislative Records of the Council, xii., 355.

House Journal, p. 21.

Collins his Heirs & Assigns forever of a Certain Dwelling House, Barn & Land Scituate in Lyn aforesaid, And the Said Daniel Collins by an Instrument under his Hand & Seal Obliged His Heirs Executors &c upon a Certain Condition to Deliver the Said Deed up to the Said Eleazer Collins, And Notwithstanding the Said Eleazer Collins has performed the Said Condition, Yet the Deed being put upon Record in the County of Essex, And both Parties being Dead, The Heirs of the Said Eleazer Collings would be unavoidably damaged by the Said Deed, without the Relief & Assistence of this Court And therefore praying that She may be Impowered to Sign, Seal Execute & Acknowledge & Deliver to the Children of the Said Eleazer Collins a Deed of the Aforesaid Dwelling House Barn & Land, To Hold to them their Heirs & Assigns forever, And that the Same be Divided Among them (Saving to his Widow her Dower therein for Life,) as the Law directs for the Devision of Intestate Estates, Any Law, Usage, or Custom to the Contrary Notwithstanding.

Read &

Ordered that the Prayer of the Petition be Granted And that the Petitioner be & hereby is fully Impowered to execute a good Deed for the Re-conveyance of the Dwilling House Barn & Land as Mentioned in the Petition. [*Passed June 4.*

CHAPTER 23.

ORDER GRANTING THE PETITION OF MARGT ARMSTRONG & WM CLAGGET FOR POWER TO SELL LAND.

Legislative Records of the Council, xii., 356.

House Journal, p. 20.

A PETITION of Margaret Armstrong Mother, & William Clagget Brother in Law to Matthew Armstrong of Rhode Island, to Whom they are Gaurdians, Shewing that the Said Matthew has been followed with Convulsion Fits, which have bereaved him of his Understanding, That he has Nothing wherewith to Support himself, but his part (with the other Heirs of Matthew Armstrong late of Boston Deacsd) in a Certain Dwelling House & Land in Middle Street in Boston, which is much out of Repair And an Oppertunity presenting for the Sale of the Same to good Advantage, Therefore praying that they may be Impowered to Sell the Said Matthew Armstrongs Interest in the Said House & Land (with their own) That So the produce thereof may be Applied & laid out for his Necessary Support,

Read &

Ordered that the Prayer of the Petition be Granted, And that the Petitioners be & hereby are Impowered to Make Sale of the House & Land mentioned in the Petition, And to give a good & Sufficient Deed & Conveyance for the Same, Any Law Usage or Custom to the Contrary Notwithstanding

PROVIDED the Petitioners or either of them give Sufficient Security to the Treasurer of the Town of Boston & his Successors in the Said Office to Apply Matthew Armstrongs Part of the Money that Shall be paid for the Said House & Land to his Maintenance, & to Indemnify the Said Town of Boston from any Charge for his Support for the Time to come. [*Passed June 4.*

CHAPTER 24.

RESOLVE ALLOWING £20 TO HAN LOVEWELL.

A Petition of Hannah Lovewell Relict of Capt John Lovewell Deceasd late Commander of a Company of Voluntiers in the Service of this Government against the Indian Enemy, Shewing that her sd Husband before his Last March bought Two Hogsheads of Bread & other Provisions with Six Canooes & Ammunition to Supply his Company, But in Consideration of her Husbands being Killed in the late Action at Pigwacket with a great part of his Company So that it is imposable for the Petitioner to know whom the Said Supplys were deliverd to, So as to Demand what is due for them, And therefore Praying that this Court would Please to Make an Allowance to her out of the Publick Treasury to pay for the Said Supplys, And that, Agreeable to His Honour the Lieut Governrs Recommendation of the Petitioners Case as well as that of the other poor widows whose Husbands were killed in the Said Action, This Court would please to bestow on her what in their great Goodness & Bounty they Shall judge Best.

Legislative Records of the Council, xii., 356.

Legislative Records of the Council, xii., 343. House Journal, pp. 19, 20. *Ante*, p. 484, chap. 151.

Read & In Answer to this Petition

Resolved that the Sum of Twenty Pounds be Allowed & paid out of the Publick Treasury to the Administrator of the Estate of Capt John Lovewell Deceasd Eight pounds thereof being for Six Canooes provided for his Company, Three pounds two Shillings for Ammunition to the Company & Carriage of Stores, The remaining Eight pounds eighteen Shillings being for two Hogsheads of Bread Supplied the Company, Said Administrator repaying the administrators of Lieut Joseph Farewell & Ensign Jonathan Robbins what the Said Farewell & Robins did Advance in part for the Bread & Carriage thereof to Dunstable: And that a Particular Consideration of the Widow Lovewell & her Family's Circumstances be had when the Court shall take Notice of the extraordinary Service of Capt Lovewell & Company in the late Action at Pigwacket. [*Passed June 4.*

CHAPTER 25.

ORDER ON COMMITTEES REPORT ABOUT YE MEETING HOUSE IN YE SOUTH PRECINCT IN BRANTREY.

The Committee appointed by the Honble General Court to repair to Brantrey in Order to make Report Referring to the Removal of the Meeting House in the South Precinct of the said Town, Having attended that Service We find that the greatest Number of Inhabitants by far live within two Miles & an Half of the present Meeting House, And that there is in the South Part of said Precinct a sufficient Quantity of Land, Wch We suppose will be capable to Accomodate a Number of Inhabitants that may be able to support a Gospel Minister And the Removing the said Meeting House will not only involve the Precinct in extraordinary Charges & Perplexity but will have a Tendency to Obstruct and Hinder the Settlement of a new Precinct, By which the most Southern Part may be Accomodated, And that can not be In Case the present Meeting House were removed; We are therefore of Opinion That the Meeting House remain where it is

By Order of the Commtee Wm Tailer

Legislative Records of the Council, xii., 357. Mass. Archives, xi., 479.

House Journal, p. 20. *Ante*, p. 511, chap. 230.

Read &

Ordered that this Report be Accepted. [*Passed June 4.*

CHAPTER 26.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE SLOOP GEORGE DAVID FRANKLIN MASTER.

Legislative Records of the Council, xii., 358.

House Journal, pp. 18, 19.

A MUSTER ROLL of the Sloop George, David Franklyn Master (a Transport in His Majesties Service) Containing an Accompt of Wages due to the Said Master & Company for their Service, togather with the Hire of the Said Sloop from Novem^r 15th 1724, to May 29th 1725, Amounting to the Sum of £231.

[Read, accepted and]

Resolved that the Sum of Two hundred & thirty one pounds be Allowed & paid out of the Publick Treasury to the Said David Franklyn, to be by him repaid to the Persons to Whom it is Respectively Due in full Discharge of the Wages & Sloop Hire thereof. [*Passed June 4.*

CHAPTER 27.

RESOLVE ALLOWING PAYMENT ON MUSTER ROLL OF L^T ALLISON BROWN.

Legislative Records of the Council, xii., 358.

House Journal, p. 19.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Lieut^t Allison Brown, Containing an Accompt of Wages due to them for their said Service from Decem^r 12th 1724, to May 28th 1725, Amounting to the Sum of £319. 8. 5.

[Read, Accepted and]

Resolved that the Sum of Three hundred & fifteen pounds eight Shillings & five pence be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll to whom the Same is resspectively Due (Agreeable to the Committees Report) in full Discharge of the Wages thereof. [*Passed June 4.*

CHAPTER 28.

RESOLVE ALLOWING 36/ 6 TO L^T ALLISON BROWN.

Legislative Records of the Council, xii., 358.

House Journal, p. 19.

AN ACCOMPT presented by Lieut^t Allison Brown of the Keeping And the Cure of Ensign Trescots Horse wounded by the Indians at Arundel in May last, Amounting to the Sum of £1. 16. 6.

[Read, Accepted and]

Resolved that the Sum of Thirty Six Shillings & Six pence be Allowed & paid out of the publick Treasury to the Accomptant Allison Brown in full Discharge thereof. [*Passed June 4.*

CHAPTER 29.

ORDER ALLOWING CO TREASURER OF BARNSTABLE'S ACC°.

An Accompt of Ebenezer Lewis Treasurer of the County of Barnstable for the Year 1724, Having been laid before the Court of General Sessions of the Peace for the Said County, & by them Allowed,

Read & Accepted &

Ordered that this Accompt be Allowed. [*Passed June 5.*

Legislative Records of the Council, xii., 359.

House Journal, p. 21.

CHAPTER 30.

ORDER ALLOWING CO TREASURER OF YORK'S ACC°.

An Accompt of Daniel Sympson Treasurer of the County of York for the Year 1724, Having been laid before the Court of General Sessions of the Peace for the Said County & by them Pass'd And Allowed.

Read & Accepted &

Ordered that this Accompt be Allowed. [*Passed June 5.*

Legislative Records of the Council, xii., 359.

House Journal, p. 21.

CHAPTER 31.

RESOLVE ALLOWING £3. 1. 6 TO JACOB WILD.

A Petition of Jacob Wilds a Soldier in His Majesties Service, Praying that he May be Allowed the Sum of Three pounds one Shilling & Six pence by him Expended in his Sickness, as Certified by Coll: Johnson Harman & the Doctor that administered to him.

Read &

Resolved that the Sum of Three pounds one Shilling & Six pence be Allowed & paid out of the Publick Treasury to Mr John Howlet, to be by him repaid to the Said Jacob Wilds for the Charge of his Sickness within mentioned. [*Passed June 5.*

Legislative Records of the Council, xii., 359.

House Journal, p. 21.

CHAPTER 32.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT FORT MARY.

A Muster Roll of the Garrison in his Majesties Service at Fort Mary at Winter Harbour, under the Command of Capt Saml Hinks, Containing an Accompt of Wages due to the Said Garrison for their Service from the 9th of Decem^r^ 1724, to the first of June 1725, Amounting to the Sum of £114. 12. 9.

[Read, Accepted and]

Resolved that the Sum of One hundred & fourteen pounds twelve Shillings & Nine pence be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll to whom the Same is due in full Discharge of the wages thereof. [*Passed June 7.*

Legislative Records of the Council, xii., 360.

House Journal, p. 22.

CHAPTER 33.

RESOLVE ALLOWING £17. 13. 6 TO RICH^D SMITH.

Legislative Records of the Council, xii., 360.

House Journal, p. 22.

A PETITION of Richard Smith, Praying the Allowance of Seventeen pounds thirteen Shillings & Six pence for Cord Wood by him Supplied to the Garrison at fort Mary at Winter Harbour, And that the Same may be Paid to Capt Saml Hinks for the Petitioners Use.

Read [Accepted] &

Resolved that the Sum of Seventeen Pounds thirteen Shillings & Six pence be Allowed & paid out of the Publick Treasury to Capt Saml Hinks According to the Desire of the Accomptant in full Discharge thereof. [*Passed June 7.*

CHAPTER 34.

RESOLVE ALLOWING 30/ TO PEND: FLETCHER.

Legislative Records of the Council, xii., 360.

House Journal, p. 22.

AN ACCOMPT presented by Pendleton Fletcher of Repairs at Fort Mary at Winter Harbour, Amounting to thirty Shillings.

[Read, Accepted and]

Resolved that the Sum of Thirty Shillings be allowed & paid out of the Publick Treasury to Capt Samuel Hinks in full Discharge of the within Accompt. [*Passed June 7.*

CHAPTER 35.

VOTE FOR A NEW IMPRESSION OF THE LAWS OF THE PROVINCE.

Legislative Records of the Council, xii., 361.

House Journal, pp. 14, 15.

IN THE HOUSE OF REPRESENT^S Whereas this House is informed that the last Impression of the Laws of this Province is out, & not any of the Law Books to be had of the Stationers compleat, And it being Necessary that the Several Towns within the Province, Should be furnished with the Laws, And Several of the New Towns being Destitute of them, And for want thereof, it can not be thought that they can Know how to Govern them selves in their Affairs,

Wherefore

Voted that there be a New Impression of the Laws, now in force made as Soon as may be.

In Council: Read & Concur'd. [*Passed June 8.*

CHAPTER 36.

RESOLVE ALLOWING £29. 2. 1 TO M^R DAN^L POWNING.

Legislative Records of the Council, xii., 363.

AN ACCOMPT presented by Mr Daniel Powning Keeper of the Powder house of wages Paid to the Watchmen Charge of Coals Candles, Repairs & his own Salary Ballance whereof due to his[1] is £29. 2. 1.

[1] *Sic*, for "him."

[Read, and]
Resolved that the Sum of Twenty nine Pounds two Shillings & one peny be Allowed & paid out of the Publick Treasury to Mr Daniel Powning the Accomptant in full Discharge of Said Accompt. Ending the first of this Instant June. [*Passed June 9.*

House Journal, p. 23.

CHAPTER 37.

RESOLVE ALLOWING £49. 2. 10 TO DR EBENR ALLEN.

An Accompt presented by Dr Ebenezer Allen, Surgeon of His Majesties Forces Eastward under the Command of Coll. Thomas Westbrook, of wages due to him for his Said Service from the 2d of Decemr 1724, to the 31st of May 1725, Amounting to the Sum of £49. 2. 10.
[Read and]
Resolved that the Sum of Forty Nine pounds two Shillings & ten pence be Allowed & Paid out of the Publick Treasury to Doctor Ebenezer Allen in full Discharge of this Accompt. [*Passed June 9.*

Legislative Records of the Council, xii., 363.

House Journal, p. 24.

CHAPTER 38.

RESOLVE ALLOWING £47 TO EDMD MOUNTFORTH.

An Accompt presented by Mr Edmund Mountforth of Wages due to him for his Service in the Care of the Publick Stores for the forces in Receiving them & Delivering them out, from the 25th of Novemr 1724 to the 31st of May 1725, Amounting to the Sum of £47.
[Read, and]
Resolved that the Sum of forty Seven pounds be Allowed & paid out of the Publick Treasury to the Accomptant Edmund Mountforth in full Discharge thereof. [*Passed June 9.*

Legislative Records of the Council, xii., 364.

House Journal, p. 24.

CHAPTER 39.

RESOLVE ALLOWING £50 TO CPT RICHD BOURN.

A Petition of Capt Richard Bourn, Shewing that by Order of his Honour the Lieut Governr he Hath enlisted at great Charge to himself one hundred Indians for His Majesties Service Eastward, He being Obliged to make Several Journeys into the Countys of Plymouth, Barnstable & Dukes County, & to Treat the Indians with their Numerous Relations & Friends, And therefore Praying the Allowance of one Hundred Pounds, Which he Thinks but a Reasonable Satisfaction for his Trouble & Expence in the Said Affair.
Read [Accepted] &
Resolved that the Sum of Fifty Pounds be Allowed & paid out of the Publick Treasury to Capt Richard Bourn in full Satisfaction for his Trouble & Charge in Enlisting the Indians mentioned in the within Petition. [*Passed June 9.*

Legislative Records of the Council, xii., 364.

House Journal, p. 24.

CHAPTER 40.

RESOLVE ON LT JNO LARRABEES PETITION GRANTING AN ADVANCE OF ALLOWANCE FOR VICTUALLING THE GARRISON AT CASTLE WILLIAM.

Legislative Records of the Council, xii., 364.

House Journal, pp. 24, 25.

A PETITION of Lieut. John Larrabee Victualler of the Garrison at His Majesties Castle William, Praying that an Advance may be made of His Allowance for Victualling His Majesties Said Garrison, upon Consideration of the Growing Dearness of all Kinds of Provisions.

Read [Accepted] &

Resolved that in Consideration of the Prices of Provisions being Advanced since the Petitioners Contract. that there be Allowed Seven Shillings per week per Man to the Said John Larrabee for Victualling the Garrison at Castle William, the Year Currant, Begining Novr 22d 1724. [*Passed June 9.*

CHAPTER 41.

ORDER ON THE PETITION OF NATHL OLIVER GRANTING TRIAL OF AN APPEAL.

Legislative Records of the Council, xii., 362.

House Journal, p. 29. *Ante*, p. 531, chap. 281.

UPON THE PETITION of Nathl Oliver [*ante*, p. 531, chap. 281]

Ordered that the Petitioner have a Tryal of his Appeal at the next Superiour Court of Judicature for the County of Suffolk, He filing His Reasons of Appeal according to Law, & Giving Seasonable Notice to the Adverse Party, And the Justices of the Said Court are Impowered & Directed to Hear & Determine the Said Appeal accordingly; Any Law Usage or Custom to the Contrary, Notwithstanding, The Petitioner to pay the Costs in the Cause hitherto. [*Passed June 10.*

CHAPTER 42.

RESOLVE ALLOWING £9. 10 TO YE COMMITTEE IN CHARGE AT SO BRANTREY.

Legislative Records of the Council, xii., 365.

House Journal, p. 30. *Ante*, p. 587, chap. 25.

AN ACCOMPT presented by William Tailer Esqr of the Time & Expence of the Committee of the General Court appointed to view the South Precinct in Brantry, Amounting to the Sum of £9. 10.

Read &

Ordered that the Above Accompt be Allowed And that the Inhabitants of the South Precinct in Brantrey pay unto William Tailer Esqr the Sum of Nine pounds & ten Shillings for the Use of the Committee, to Discharge the Said Accompt. [*Passed June 10.*

CHAPTER 43.

RESOLVE ALLOWING £40 TO THE MINISTER AT ARUNDEL & BIDDEFORD.

Legislative Records of the Council, xii., 365.

Resolved that in Consideration of the Towns of Arundel & Biddeford being Reduced to low Circumstances by reason of the Present Indian War, And Sundry Soldiers being Posted therein for their Security And

Defence; And no Chaplain being Allowed to the Forces there, The Sum of Forty Pounds be Allowed & paid out of the Publick Treasury to the Select Men of the Town of Arundel for Supporting & Maintaining of the Preaching of the Gospel at Arundel & Biddeford alternately, The Gentleman that Performs the Said Service to Preach Alternately on the Lords Day at the Town of Arundel & Biddeford, If the Weather will permit. [*Passed June 10.*

House Journal, p. 22.

CHAPTER 44.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CAPT JNO WHITE & COMPA.

A Muster Roll of the Company of Voluntiers in His Majesties Service under the Command of Capt John White, Containing an Accompt of Wages due to them for two Several Marches from March 15th to June 14th 1725, Amounting to the Sum of £323. 11. 6.

Legislative Records of the Council, xii., 365.

House Journal, p. 25.

[Read Accepted and]

Resolved that the Sum of Three hundred & twenty three pounds eleven Shillings & Six pence be Allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll, in full Discharge thereof, First Deducting what Mr Treasurer has advanced or Supplied. [*Passed June 10.*

CHAPTER 45.

RESOLVE FOR PROSECUTING CAPT ADIJAH DEWEY FOR FALSE MUSTERS.

Resolved that Robert Aukmuty Esqr be Directed & Impowered by this Court, And the Said Robert Aukmuty is hereby Directed & Impowered in Behalf of our Sovereign Lord the King to Prosecute Capt Adijah Dewey of Westfield at the Next Inferiour Court of Common Pleas to be Holden at Boston within and for the County of Suffolk on the first Tuesday of July Next upon a Late Act of the Province relating to false Musters, He Having continued himself & Sundry Troopers on his Muster Roll of 1723, & received the Wages therefor when they were not actually in the Service, but at Home about their Business; Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed June 11.*

Legislative Records of the Council, xii., 366.

House Journal, p. 30. Province Laws, ii., 332, 335. *Ante*, p. 560, chap. 372.

CHAPTER 46.

VOTE ALLOWING PAYMENT ON THE MUSTER ROLL OF CPT JOS: KELLOGS COMPY.

A Muster Roll of the Company in His Majesties Service under the Command of Capt Joseph Kellog Containing an Accompt of Wages due to the said Company for their Service from Novr 19th 1724 to May 19th 1725, togather with the Subsistence of the Said Company the Said Time Amounting to the Sum of £1,411. 15. 5.

Legislative Records of the Council, xii., 368.

House Journal, pp. 23, 27.

Upon the Committees Report of the Said Roll given in to the House *Voted* an Acceptance of the Report, Excepting the Reduction of Timothy Ch[i]lds Wages, from a Lieutenants to a Sergeants Pay, It being but Reasonable at this Time that Two Lieutenants Should be

born on this Roll, which Contains Seventy Men, Capt Kellog being Employed in the Countreys Service the Most of the Time in Waiting on & Attending the Commissioners that went to Canada;

And therefore

Resolved that the Sum of One Thousand four hundred & Seven pounds eight Shillings & Nine Pence be Allowed & paid out of the Publick Treasury to Capt Thomas Wells to be by him repaid to the Person or Persons, to Whom the Same is respectively due, in full Discharge of the Wages & Subsistance thereof. [*Passed June 11.*

CHAPTER 47.

RESOLVE ALLOWING PAYMENT ON LT JOHN LANES MUSTER ROLL.

Legislative Records of the Council, xii., 369.

House Journal, p. 27.

A MUSTER ROLL of the Company in His Majesties Service Eastward, lately under the Command of Lieut John Lane, Containing an Accompt of Wages due to the Said Company for their Service from Novr 19th to January 17th 1724, Amounting to the Sum of £144. 3. 5.

[Read, Accepted and]

Resolved that the Sum of One hundred & thirty three pounds ten Shillings & eight pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll (Agreeable to the Committee's report) in full Discharge of the wages thereof. [*Passed June 11.*

CHAPTER 48.

RESOLVE ALLOWING PAYMENT ON COLL. THOS WESTBROOK'S MUSTER ROLL.

Legislative Records of the Council, xii., 369. Mass. Archives, xci., 138.

Mass. Archives, xci., 136, 137. House Journal, p. 27.

A MUSTER ROLL of the Company in His Majesties Service Eastward, under the Command of Coll. Thomas Westbrook, Containing an Accompt of Wages due to the Said Company for their Service from Novr 22d 1724, to May 22d 1725, Amounting to the Sum of £649. 8. 4.

Read and Accepted and

Resolved That the Sum of Six hundred thirty three pounds, One shilling and Nine pence be allowed and paid out of the publick Treasury to the Officers and Soldiers born on the within Roll to whom the same is due in full discharge thereof. [*Passed June 11.*

CHAPTER 49.

RESOLVE ALLOWING £28. 3. 8 TO SAML SIGOURNEY.

Legislative Records of the Council, xii., 369.

House Journal, p. 30. *Ante*, p. 488, chap. 161.

A PETITION of Samuel Segourney Shewing that on the 16th day of February 1723, being then in the Service & Pay of this Government, He was taken by the Indians from Berwick, & by them Sold to the French at Chamblee, In whose hands he Continued till the Arival of the Commissioners at Canada, And upon his Application to them, Coll John Schuyler was Pleased to Advance the Sum of Twenty eight pounds three Shillings & eight pence in Money of this Province for his Redemp-

tion, And therefore in Consideration of his Indigency & Inability to pay the Said Sum & his being in the Publick Service when taken, Praying to be Allowed the Said Sum out of the Publick Treasury.

Read &

Resolved that in Consideration of the Petitioners being a Soldier in the Serviee & pay of this Province at the Time of his being Captivated, That the Sum of Twenty eight pounds three Shillings & eight eight[1] pence be Allowed & paid out of the Publick Treasury to William Dudley Esqr to Discharge the Petitioners Bond, which he gave Coll Schuyler for his Redemption as within Mentioned. [*Passed June 11.*

CHAPTER 50.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CAP^T JERE: MOULTON.

A Muster Roll of the Company in His Majesties Service under the Command of Capt Jeremiah Moulton, Containing an Accompt of Wages due to the Said Company for their Said Service Eastward from January 18th 1724, to May 11th 1725, Amounting to the Sum of £274. 12. 6.

Legislative Records of the Council, xii., 370. Mass. Archives, xci., 135.

Read and accepted and

Resolved That the Sum of Two Hundred & fifty Six Pounds Eight shillings & three pence be allowed and paid out of the publick Treasury to the Officers and soldiers born on the within Roll agreable to the above Report in full discharge of the Wages thereof. [*Passed June 11.*

Mass. Archives, xci., 134. House Journal, p. 27.

CHAPTER 51.

RESOLVE ALLOWING £7. 10. 8 TO JOS: CLESSON.

An Accompt presented by Joseph Clesson of the Charge of Fitting out the Scout under his Command, for their March to Otter Creek in June 1724, Amounting to the Sum of £7. 10. 8.

Legislative Records of the Council, xii., 370.

[Read, accepted and]

Resolved that the Sum of Seven pounds ten Shillings & eight pence be Allowed & paid out of the Publick Treasury to Capt Henry Dwight to be by him paid to the Persons to Whom the Same is Respectively Due in full Discharge of the within Accompt. [*Passed June 11.*

House Journal, p. 31.

CHAPTER 52.

RESOLVE ALLOWING PAYMENT OF COLL JN^O STODDARDS ACC^O OF SCOUTS &c.

An Accompt presented by Coll John Stoddard of Divers Scouts Sent out on the frontiers in the County of Hampshire, upon the Intelligence of the Enemy in the Year 1724, Togather with the Charge of Several Expresses Sent in the Publick Service, Amounting in the Whole to the Sum of £79. 9. 6.

Legislative Records of the Council, xii., 370.

[Read, Accepted and]

House Journal, pp. 12, 24, 31.

[1] *Sic.*

Resolved that the Sum of Seventy Nine pounds Nine Shillings & Six pence be Allowed & paid out of the publick Treasury to Coll: John Stoddard to be by him paid to the Several Persons to whom it is Respectively Due (agreeable to the Committees report) in full Discharge of the Several Accompts within written. [*Passed June 11.*

CHAPTER 53.

RESOLVE ALLOWING £2. 12 TO JN° INGOLLS.

Legislative Records of the Council, xii., 370.

House Journal, p. 29.

A PETITION of John Ingolls, Praying to be Allowed the Charge of Midicines and Attendence in a Late Sickness he has undergone while in the Publick Service, He being a Soldier in Coll Johnson Harmans Company, & by his Furloe then on a Visit to his Friends.

Read &

Resolved that the Sum of Two pounds Twelve Shillings & Six pence[1] be Allowed & paid out of the Publick Treasury to Mr Benjamin Barker for the Use of the Petitioner in full Discharge & Satisfaction of the Petition. [*Passed June 11.*

CHAPTER 54.

RESOLVE ALLOWING £12. 10 TO JN° HOLMAN.

Legislative Records of the Council, xii., 370.

House Journal, p. 30.

A PETITION of John Holman Praying the Allowance of his Accompt of Time & Expence in two Journeys into the County of Barnstable by order of the Honble the Lieut. Govr & for the Petitioners Assistance in Enlisting Indian Voluntiers in the Service Eastward.

Read [Accepted] &

Resolved that the Sum of Twelve pounds ten Shillings be Allowed & paid out of the Publick Treasury to Mr John Holman in full Discharge of the Services within mentioned. [*Passed June 11.*

CHAPTER 55.

RESOLVE ALLOWING £3. 5 TO MR WESTWOOD COOK.

Legislative Records of the Council, xii., 371.

House Journal, p. 25.

AN ACCOMPT presented by Mr Westwood Cook of the Charge of Billiting Soldiers from Connecticut under the Command of Capt David Goodrick at Hadley in the Year 1724, Amounting to the Sum of £3. 5.

[Read, accepted and]

Resolved that the Sum of Three pounds & five Shillings be Allowed & paid out of the Publick Treasury to Mr Westwood Cook to be by him repaid to the person or persons to Whom the Same is due in full Discharge of the Subsistence of the Said Men. [*Passed June 11.*

[1] The House Journal reads, £2. 12.

CHAPTER 56.

RESOLVE ALLOWING £3. 10 TO JNO MARCH.

An Accompt presented by John March of Nursing, Firing, Diet & Attendence on William Chamberlain a Soldier taken Sick in his Journey to the Forces Eastward, Amounting to the Sum of £3. 10.

Legislative Records of the Council, xii., 371.

[Read, and]

House Journal, p. 27.

Resolved that the Sum of Three pounds ten Shillings be Allowed & paid out of the Publick Treasury to the Accomptant John March in full Discharge of the within Accompt. [*Passed June 11.*

CHAPTER 57.

RESOLVE ALLOWING £3 TO JNO HOUGHTON & JOS: WILDER.

An Accompt of John Houghton & Joseph Wilder of their Time & Expence in Riding Express from Lancaster to Northampton by Order of His Honour the Lieut Governr Amounting to the Sum of £3.

Legislative Records of the Council, xii., 371.

[Read and]

House Journal, p. 26.

Resolved that the Sum of three pounds be Allowed & paid out of the Publick Treasury to Mr Joseph Wilder, to be by him paid to Whom it is due in full Discharge of this Accompt. [*Passed June 11.*

CHAPTER 58.

RESOLVE ALLOWING £2. 3 TO JOS: BENNET.

A Petition of Joseph Bennet, Shewing that he Having Served as an Ensign in the Company in His Majesties Service Eastward, in the Company under the Command of Lieut Allison Brown, was carried out in the Said Lieut Allison Browns Muster Roll to the eleventh day of Decemr last, whereas he was not Dismiss'd from the Service in ye Sd Compa till the fifth day of January last. Which Omission was by a Mistake of the Said Lieut Brown, And therefore praying the Allowance of His Wages so Omitted.

Legislative Records of the Council, xii., 371.

House Journal, p. 31.

Read [Accepted] &

Resolved that the Sum of Two pounds three Shillings[1] be Allowed & paid out of the Publick Treasury to the Petitioner Joseph Bennet in full Discharge of the Wages mentioned in the Petition. [*Passed June 11.*

CHAPTER 59.

RESOLVE ALLOWING £12 TO CAPT JNO WHITE.

A Memorial of Capt John White Shewing that the Memorialist has lately Raised a Company of Voluntiers who have made two Marches against the Indian Enemy That in Raising the Said Company he has been at Great Expence, even beyond the Amount of his Wages, He

Legislative Records of the Council, xii., 372.

House Journal, p. 31.

[1] The House Journal reads, £2. 3. 9.

having no more Pay than a Private Centinal in Said Company, Praying that he may be Allowed a Reasonable Consideration for his Charge & Trouble as Aforesaid.

Read [Accepted] &

Resolved that the Sum of Twelve Pounds be Allowed & paid out of the Publick Treasury to Capt John White to be by him paid to the Persons to Whom it is due for Expresses, Horse Hire, &c And his Expences in Enlisting the Men, Making up the Roll &c. [*Passed June 11.*

CHAPTER 60.

RESOLVE ALLOWING £13. 15 TO SAML GERRISH.

Legislative Records of the Council, xii., 373.

House Journal, p. 35.

AN ACCOMPT presented by Samuel Gerrish Book Seller, of Paper & Printing the Revd Mr Thayers Sermon preach'd to this Court on the Election Day; Amounting to the Sum of £13. 15.

[Read, and]

Resolved that the Sum of Thirteen pounds fifteen Shillings be Allowed & paid out of the Publick Treasury to Mr Saml Gerrish in full Discharge of the Said Accompt. [*Passed June 14.*

CHAPTER 61.

RESOLVE ALLOWING 17/ TO MR CHRIST: TOPPIN.

Legislative Records of the Council, xii., 373.

House Journal, p. 27.

AN ACCOMPT of Mr Christopher Toppan for Sundry Medicines Administer'd to Wm Chamberlain a Soldier, Amounting to Seventeen Shillings.

[Read and]

Resolved that the Sum of Seventeen Shillings be Allowed & paid out of the Publick Treasury to Capt Henry Rolfe for the Use of the Accomptant in full Discharge thereof. [*Passed June 14.*

CHAPTER 62.

RESOLVE ALLOWING £30 TO MR SAML HUNT.

Legislative Records of the Council, xii., 373.

House Journal, p. 32.
Ante, p. 541, chap. 311.

A MEMORIAL of Mr Samuel Hunt Minister of Dartmouth, Acknowledging the Favour & Kindness of this Court in Encouraging him by an Allowance out of the Publick Treasury to Carry on the Work of the Ministry there for the Time Passt, & Praying Some Allowance for his Support the Year Currant.

Read &

Resolved in Answer to this Petition, that the Sum of Thirty Pounds be Allowed & paid out of the Publick Treasury to Mr Samuel Hunt for his Encouragement & Support in Preaching the Gospel at Dartmouth. [*Passed June 14.*

CHAPTER 63.

RESOLVE ALLOWING £20 TO Mr HUGH HENRY.

A Petition of Mr Hugh Henry Minister of Scarborough Praying that he may be Allowed the Sum of Twenty Pounds out of the Publick Treasury for his Encouragement in Preaching to the People there, They being Reduced to low Circumstances by the war & Not capable of Doing much for his Support, And also Praying for his Subsistance.

Legislative Records of the Council, xii., 374.

House Journal, p. 32.

Read [Accepted] &

Resolved that the Sum of Twenty Pounds be Allowed & paid out of the Publick Treasury to Mr Hugh Henry for his Encouragemt & Support in Preaching the Gospel at Scarborô. for the Year Currant, And that he be Allowed Subsistance out of the Province Stores for the Same Time. [*Passed June 14.*

CHAPTER 64.

RESOLVE ALLOWING £17. 9 TO Dr HENRY BLAISDEL.

A Petition of Henry Blaisdel of Groton, Shewing that by Vertue of a Warrant from Coll: Edmund Goffe, He Served as Surgeon to the Western Forces from the Tenth of September to the Sixth of December past, being Twelve Weeks & three days, for which Service & the Midicines he Administerd to the Forces in the Pay of the Province, he thinks he Deserves the Sum of Twenty Six Pounds fourteen Shillings & Praying the Allowance of the Said Sum Accordingly.

Legislative Records of the Council, xii., 374.

House Journal, p. 32.

Read [Accepted] &

Resolved that the Sum of Seventeen Pounds Nine Shillings be Allowed & paid out of the Publick Treasury to Dr Henry Blaisdel for his Wages, drugs & Midicines in the Service of the Province, as Mention'd in the Petition. [*Passed June 14.*

CHAPTER 65.

RESOLVE ALLOWING £15. 1. 6 TO Dr Wm DAVIS.

An Accompt presented by Dr William Davis of Midicines and Attendence on William Phillips a Pyrate in Boston Goal. by order of His Honour the Lieut Governr, Amounting to the Sum of £15. 1. 6.

Legislative Records of the Council, xii., 374.

House Journal, p. 32.

[Read, accepted and]

Resolved that the Sum of fifteen pounds one Shilling & Six pence be Allowed & paid out of the Publick Treasury to Dr William Davis in full Discharge of the Within Accompt. [*Passed June 14.*

CHAPTER 66.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF THE GARRISON AT CASTLE WILLIAM.

Legislative Records of the Council, xii., 374.

House Journal, p. 34.

A MUSTER ROLL of the Garrison in his Majesties Service at His Majesties Castle William, under the Command of the Honb^le William Dummer Esqr Containing an Accompt of Wages due to them for their Service from the 23^d of Novem^r 1724, to the 23^d of Novem^r 1725, Amounting to the Sum of £516. 4. 4.

[Read, Accepted and]

Resolved that the Sum of five hundred & Seven pounds eight Shillings & Seven pence be Allowed & paid out of the the[1] Publick Treasury to the Officers & Soldiers born on the within Roll to whom the Same is Respectively Due (Agreeable to the Committees Report) in full Discharge of the Wages thereof. [*Passed June 14.*

CHAPTER 67.

RESOLVE ALLOWING PAYMENT ON CAP^T JOSH^A MOODEYS MUSTER ROLL.

Legislative Records of the Council, xii., 375.

House Journal, p. 31.

A MUSTER ROLL of the Company in His Majesties Service Eastward under the Command of Capt Joshua Moody. Containing an Accompt of Wages due to the Said Company for their Service from Novem^r 22^d 1724 to May 31st 1725, Amounting to the Sum of £458. 3. 7.

[Read, Accepted and]

Resolved that the Sum of four Hundred & thirty five pounds five Shillings & two pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll to whom the Same is Respectively Due (Agreeable to the Committees Report.) in full Discharge of the wages thereof. [*Passed June 14.*

CHAPTER 68.

RESOLVE ALLOWING PAYMENT ON CAP^T JN^O GRAYS MUSTER ROLL.

Legislative Records of the Council, xii., 375.

House Journal, p. 31.

A MUSTER ROLL of the Company in his Majesties Service Eastward under the Command of Capt John Gray, Containing an Accompt of Wages due to the Said Company for their Service from Novr 21st 1724, to May 31st 1725, Amounting to the Sum of £467. 13. 4.

[Read, accepted and]

Resolved that the Sum of Four hundred & twenty four pounds four Shillings & One peny be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll to Whom the Same is Respectively Due (Agreeable to the Committees Report) in full Discharge of the wages thereof. [*Passed June 14.*

[1] *Sic.*

CHAPTER 69.

RESOLVE ALLOWING TO SUSAN SCALES THE WAGES OF HER LATE HUSBAND, A SOLDIER, AND £10 ADDITIONAL.

A Petition of Susanna Scales Widow, Shewing that Her Husband Willm Scales was on the Nineteenth day of Aprill last. kill'd by the Indians at North Yarmouth, having Left behind him five Children in low Circumstances, & there being wages due to her Said Husband for his Service as a Soldier under the Command of Capt Joshua Moodey, Therefore Praying that the Treasurer may be Directed to pay the Same to the Petitioner, & that this Court would please to Make her Some Allowance for the Maintenance of her Self & Children.

Legislative Records of the Council, xii., 375.

House Journal, pp. 32, 33.

Read & In Answer to this Petition

Resolved that the Petitioner or her Order be Allowed & Impowered to Receive out of the Publick Treasury what Money was due to her Dec^d Husband from the Province at the Time of his being Slain, And that the Treasurer be Directed to pay the Same Accordingly: And further that the Sum of Ten pounds be Allowed & paid out of the publick Treasury to Major Samuel Moodey to be by him Paid to the Petitioner for the Support of her & her Children in Consideration of their great Loss. [*Passed June 14.*

CHAPTER 70.

RESOLVE ALLOWING £45. 9. 5 TO CAP^T JN^O ASHLEY.

An Accompt presented by Capt John Ashley of the Hire of Several Horses in Hampshire for the Commiss^rs that went to Canada, & the Service of Several Persons that went a Guard to the Said Commiss^rs togather with the Charge of Expresses, Amounting to the Sum of £47. 2. 8.

Legislative Records of the Council, xii., 375.

House Journal, p. 31.

[Read, Accepted and]

Resolved that the Sum of Forty five pounds Nine Shillings & five pence be Allowed & paid out of the publick Treasury to Capt Jno Ashley, to be by him paid to the Persons to whom the Same is Respectively Due in full Discharge of the Within Accompt. [*Passed June 14.*

CHAPTER 71.

RESOLVE DIRECTING SUPPLY OF STORES FOR CASTLE WILLIAM.

An Indent of Stores necessary for the Garrison at His Majesties Castle William the Honb^le William Dummer Esqr Commander, Presented by Mr William Barnsdale Gunner of the Said Castle.

Legislative Records of the Council, xii., 376.

House Journal, p. 34.

Read &

Resolved that Mr Treasurer be Directed to Supply the Stores Above Mentioned. [*Passed June 14.*

CHAPTER 72.

ORDER ON THE PETITION OF THE INHABITANTS OF LITTLETON IN REGARD TO THE ANNEXATION OF CERTAIN INHABITANTS OF CONCORD AND CHELMSFORD.

Legislative Records of the Council, xii., 376.

House Journal, p. 37. *Ante*, p. 82, chap. 7.

A PETITION of the Town of Littleton, togather with Sundry Inhabitants of the Towns of Chelmsford & Concord, Shewing that whereas this Court did at the Desire of Divers Inhabitants of Concord & Chelmsford annex them to the Town of Littleton as to the Support of the Ministry, during the Pleasure of the Court, the Said Town of Littleton did erect their Meeting House within Half a Mile of their Easterly line (purely to Accomodate the Said Inhabitants of Concord & Chelmsford who joined with them in the Charge of Building the Said Meeting House & Maintaining a Gospel Minister) & have Ordered their High Ways & the Division of their House Lots So as to Suit the Placing of their Meeting House, & that Unless the Said Inhabitants of Chelmsford & Concord be continued to them, they Shall be much Disabled from Supporting the Ministry, & Especially for Building an Other Meeting House in a Place that will Accomodate themselves without the Said Inhabitants, And therefore Praying that the Said Inhabitants of Concord & Chelmsford may be Still Continued & annexed to the Town of Littleton.

In the House of Represent^s Read & IN answer to this Petition

Ordered that Mr Joseph Wilder, Capt Jos: Easterbrook & Mr Jos: Hale with Such as the Honb^le Board Shall appoint be a Committee in the Recess of the Court to go to Littleton, Hear the Petitioners, view their Scituations & make their Report of what they think proper to be Done at the Next Session of this Court, The Charge to be born by the Town of Littleton.

In Council. Read & Concur'd & Jonathan Dowse & Symonds Epes Esq^rs are are[1] joined with the Committee of the House on the Affair Above, And

Ordered that the Committee Notify the Inhabitants of the West precinct in Chelmsford of the Time of their Going to Littleton, That they may be present If they See Cause In the House of Represent^vs Read & Concurd. [*Passed June 14.*

CHAPTER 73.

RESOLVE ALLOWING £23. 5 TO SHER: WINSLOW.

Legislative Records of the Council, xii., 377.

House Journal, p. 30.

AN ACCOMPT presented by Edward Winslow Esqr Sheriff of the County of Suff^k for Sending Proclamations for Proroguing & Disolving the General Assembly, Proclamations for a General Fast and Writts for calling a new Assembly into the other Countys, And for Sending Expresses &c, Amounting to the Sum of £37. 11.

[Read, Accepted and]

Resolved that the Sum of Twenty three pounds five Shillings be Allowed & paid out of the publick Treasury to Mr Sheriff Winslow in full Discharge of the Within Accompt. [*Passed June 15.*

[1] *Sic.*

CHAPTER 74.

RESOLVE ALLOWING £2. 15 TO Mr THOS CUSHING.

An Accompt presented by Mr Thomas Cushing of the Expences of a Committee of the General Assembly appointed to Sit in the Recess of the Court, to Consider of a Remedy for the Difficultys the Ministers are under with Respect to their Maintenance, Amounting to the Sum of £2. 15.

Legislative Records of the Council, xii., 377.

House Journal, p. 39. *Ante*, p. 563, chap. 385.

[Read and]

Resolved that the Sum of Two pounds fifteen Shillings be Allowed & paid out of the Publick Treasury to Mr Thomas Cushing in full Discharge of the within Accompt. [*Passed June 15.*

CHAPTER 75.

RESOLVE ALLOWING £3. 9 TO Lt JNO POMROY.

An Accompt presented by Mr John Pomroy of Sickness & Funeral Charges of Divers Soldiers in His Majesties Service in the County of Hampshire, Amounting to the Sum of £3. 9.

Legislative Records of the Council, xii., 377.

House Journal, p. 38.

[Read, Accepted and]

Resolved that the Sum of Three pounds & Nine Shillings be Allowed & paid out of the Publick Treasury to Capt Thos Wells to be by him paid to the Persons to whom the Same is due in full Discharge thereof. [*Passed June 15.*

CHAPTER 76.

RESOLVE ALLOWING 10/ TO JOSIAH LINSCOTT & JOSEPH SMITH.

An Accompt of Capt Samuel Came for Sending Joseph Smith Express from York to Kittery & Josiah Linscot to Accompany him there, Amounting to Ten Shillings, togather with the Service of a Scout at York.

Legislative Records of the Council, xii., 378.

House Journal, p. 35.

[Read, Accepted and]

Resolved that the Sum of Ten Shillings be Allowed & paid out of the publick Treasury to Josiah Linscot & Joseph Smith for their Service in going Express as within Mentioned & in full Discharge of the within Accompt. [*Passed June 15.*

CHAPTER 77.

RESOLVE ALLOWING £4. 10 TO Mr JAMES GRANT.

An Accompt presented by Mr James Grant of four Days March of the foot Company at Berwick upon Allarms made in the Neighbouring Towns in September 1722, & in August 1724,

Legislative Records of the Council, xii., 378.

House Journal, p. 35.

[Read, Accepted and]

Resolved that the Sum of four pounds & ten Shillings be Allowed

& paid out of the publick Treasury to Mr James Grant to be by him paid to the eighteen Men that are Said to have march'd to Wells in full Discharge of the within Accompt. [*Passed June 15.*

CHAPTER 78.

RESOLVE ALLOWING £14. 9. 8 TO CAPT HEN: DWIGHT.

Legislative Records of the Council, xii., 378.

House Journal, p. 39.

AN ACCOMPT presented by Capt Henry Dwight of Expresses Sent in the Publick Service, Hire of Horses Charges on the publick Stores, & the Service of Several Scouts Sent out in the County of Hampshire, Amounting in the Whole to the Sum of £14. 9. 8.

[Read, Accepted and]

Resolved that the Sum of fourteen pounds Nine Shillings & eight pence be Allowed & paid out of the publick Treasury to Cpt Henry Dwight to be by him paid to the persons to Whom it is due in full Discharge of the Said Accompt. [*Passed June 15.*

CHAPTER 79.

SECOND VOTE UPON THE AFFAIRS OF THE TOWN OF HAVERHILL.

Legislative Records of the Council, xii., 379.

House Journal, p. 38. *Ante*, p. 585, chap. 21.

WHEREAS by Special Order from this Court the Town of Haverhill was Assembled the Ninth Instant for the Choice of Town Officers, And no other than a Town Clerk was then Chosen, altho he was not declared by the Moderator, And the Said Meeting Having been Adjourned, Notwithstanding the other Town Officers were to have been Chosen the Same Day,

Resolved that John Eaton be & hereby is Declared Town Clerk for Haverhill, According to the Choice made the Ninth Day of June as Aforesaid, And that the freeholders & all the Inhabitants rated the last Year do Assemble And Convene at the Meeting House in Haverhill, on the Twenty third of this Instant June at ten of the Clock in the forenoon, According to the Adjournment, & that they then & there chuse all other Town Officers by Law required to be Chosen annually in the Month of March; And that Richard Kent Esqr hereby Declared Moderator of that Meeting be Directed to Administer the Oath by Law appointed for the Town Clerk to the Said John Eaton & the other Officers to be Chosen the twenty third Instant, to be Sworn also by the Said Moderator to Discharge their Respective Offices Accordingly; Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed June 15.*

CHAPTER 80.

RESOLVE ALLOWING PAYMENT ON CAPT THOS WELLS'S MUSTER ROLL.

Legislative Records of the Council, xii., 380.

House Journal, p. 38.

A MUSTER ROLL of the Company in His Majesties Service, Westward under the Command of Capt Thos Wells, Containing an Accompt of Wages due to the Said Company for their Service, from the 9th of March to the fourth of May 1725 Amounting to the Sum of £465. 10.

[Read, Accepted and]

Resolved that the Sum of four hundred & Sixty eight pounds (Including the Sum of fifty Shillings due to Dr John Hastings) be Allowed & paid out of the Publick Treasury to Capt Thomas Wells to be by him paid to the persons to whom the Same is due in full Discharge of this Muster Roll. [*Passed June 15.*

CHAPTER 81.

VOTE DISCHARGING THE TREASURERS GENERAL ACCOUNTS.

Legislative Records of the Council, xii., 382.

House Journal, p. 19.

The Accompts of Jeremiah Allen Esqr Treasurer & Receiver General of the Province of the Massachusetts Bay in New England, begining the 30th of May 1724, & Continued to the 31st of May 1725, Amounting to the Sum of One Hundred forty Nine thousand Six hundred & Seventy five pounds eight Shillings & two pence half peny, Having been presented & laid before the House of Represents & inspected by Said House, by Which it appears that there was out Standing the 31st of May 1725, Five thousand Six hundred & Seventy four pounds eight Shillings & four pence of the Taxes, Forty eight Thousand Seven Hundred & Nineteen pounds of the £50,000 Loan, Twenty eight Thousand Seven Hundred & forty two pounds & Sixpence Halfpeny Neet province Bills in the Treasury further to be Accompted for,

Voted that the Said Accompt in the Several Articles of Receipts & Payments therein Mentioned, Amounting to the Sum of Sixty Six Thousand five Hundred & thirty Nine pounds Nineteen Shillings & four pence be & hereby are Allowed of, And the Said Treasurer is hereby Discharged of the Said Sum of Sixty Six thousand five hundred thirty Nine pounds Nineteen Shillings and four Pence. [*Passed June 16.*

CHAPTER 82.

VOTE FOR EMITTING £40,000 IN BILLS OF CREDIT FUND; £20,000 IN 1729, £20,000 IN 1730; AND PROVIDING SECURITY.

Legislative Records of the Council, xii., 382.

Province Laws, i., 16; ii., 375. House Journal, p. 32.

Pursuant to the Direction in the Royal Charter in that Clause or Paragraph Impowering the General Court to Impose & levy proportionable & reasonable Assessments, Rates & Taxes

Resolved that the Treasurer be & hereby is Impowered & Directed to Issue forth & Emitt the Sum of Forty thousand pounds in Bills of Credit on this Province, for the Necessary Defence & Support of this Government & the Protection And Preservation of the Inhabitants thereof, that is to say; Ten Thousand Pounds part thereof already Drawn in by Taxes &c, & twenty Thousand pounds put into his Hands by the Committee appointed to Make the Said Bills the Last Session Session[1] of this Court, And the remaining Ten Thousand pounds to be put into the Hands of the Treasurer by the Committee for Making the Same, to be Issued out & Disposed of by Warrant under the Hand of the Governr or Commander in Chief for the Time being with the Advice & Consent of the Council: Thirty Nine Thousand Pounds whereof Shall be Applied for the Uses, Intents & Purposes in this Resolve here after Express'd; viz, For the payment of all Grants Premiums & Stipends established by Law, for the Defraying & paying the Charge of

[1] *Sic.*

Castle William & other Forts and Garrisons, Transports, Muster Rolls of Soldiers & Sailors, Allowances &c, and all other Accompts of Charges Allowed & Pass'd on for Payment by this Court; And that the Sum of one thousand Pounds being the Residue & Remaining part of the Said Sum of Forty Thousand Pounds Shall be applied for the payment of Expresses dispatch'd in the Service of this Governm^t in the Recess of this Court, togather with all Necessary unforeseen Charges that Demand Prompt Payment, which shall arise in the Recess of the Court as Aforesaid; PROVIDED always that the Several Draughts made on the Treasurer aforesaid express & Declare out of Which of the Two Several Sums abovenamed the Money is to be paid,

And the Said Bills Shall Pass out of the Treasury at the Value therein Express'd Equivilent to Money, & Shall be So taken & Accepted in all publick Payments: And that the Dutys of Impost & Excise togather with all other Publick Incomes shall be a fund & Security for the Annual rePayment & Drawing in of the Said Bills into the Treasury again So far as the same will reach.

And as a further fund & Security for the Same,

It is further

Resolved that there be & hereby is Granted to His Most Excellent Majestie for the Ends & Uses Aforesaid, & for no other Ends & Uses Whatsoever, a Tax of Twenty Thousand pounds to be levied upon Polls & Estates both Real & Personal within this Province, according to Such Rules & in Such Proportion upon the Several Towns & Districts within the Same as Shall be agreed on and Ordered by the Great & General Court or Assembly of this Province, at their Session in May one Thousand Seven Hundred & twenty Nine, And paid into the Treasury on, or before the Last day of December next after,

And that the further Sum of Twenty Thousand pounds be Levied upon Polls & Estates both Real & Personal within this Province, According to Such Rules & in Such Proportion upon the Several Towns & Districts within the Same as Shall be agreed on And Ordered by the great & General Court or Assembly of this Province, at their Session in May One Thousand Seven Hundred & thirty, & Paid into the Treasury on or before the last day of Decem^r next after. [*Passed June 16.*

CHAPTER 83.

RESOLVE ALLOWING PAYMENT ON CAP^T JOS: WILLARD'S MUSTER ROLL.

Legislative Records of the Council, xii., 384.

House Journal, p. 19.

A MUSTER ROLL of the Company in His Majesties Service Westward, under the Command of Capt Josiah Willard, Containing an Accompt of Wages due to the Said Company for their Service from Decem^r 3^d, 1724, to June 2^d 1725, togather with ye Subsistence of the Said Soldiers the Said Time, Amounting in the whole to the Sum of £902. 6. 7½ And an Accompt Annexed of Richard Rice for Midicine and attendence on the Sick Soldiers in the Said Company, Amounting to the Sum of £4. 5. 6.

[Read, Accepted, and]

Resolved that the Sum of eight hundred & Seventy four Pounds three Shillings & three pence Half peny be allowed & Paid out of the Publick Treasury to Capt Josiah Willard to be by him repaid to the Officers & Soldiers born on the within Roll & the persons that have Subsisted them, to Whom the Same is Respectively due (first deducting what the Treasurer hath already advanced for Subsistance) in full Discharge of

the Wages & Subsistence due on the Said Roll, (Agreeable to the Committee's Report,) And that the further Sum of Five pounds four Shillings & Six pence be Allowed & paid out of the Publick Treasury to the Said Capt Josiah Willard to be by him paid to Mr Richard Rice to Discharge his Accompt of Midicines &c for the Soldiers born on the Roll. [*Passed June 16.*

CHAPTER 84.

RESOLVE FOR MAKING £40,000 IN BILLS OF CREDIT.

Resolved that the Committee that made the Last Bills of Credit on this Province be Desired & Directed as Soon as may be to print off & finish the Sum of forty Thousand Pounds, Thirty Seven Thousand pounds part thereof from the plate of the Highest Denomination, Two Thousand pounds part thereof from the Plate of the Middle Denomination, & one Thousand pounds being the Residue & Remainder thereof from the Plate of the Lowest Denomination, And deliver the Same when finished to the Treasurer of this Province, Taking his Receipt for them; Ten Thousand pounds of which Sum is Already Ordered to be emitted by the Treasurer, The remaining Thirty Thousand pounds to lodge in Mr Treasurers Hands till the order of this Court for their being Issued out. [*Passed June 16.*

Legislative Records of the Council, xii., 384.

House Journal, p. 32. *Ante*, p. 605, chap. 82.

CHAPTER 85.

RESOLVE ALLOWING £1. 7. 6 TO TYLLEY MYRICK.

An Accompt of Tylley Mirick for Entertiaining the Commissioners that went to Canada & their Horses, Amounting to the Sum of £1. 7. 6.

[Read, and]

Resolved that the Sum of One pound Seven Shillings & Six pence be Allowed & paid out of the Publick Treasury to Coll. John Stoddard, to be by him paid to Tylley Mirick in full Discharge thereof, it being Certified by the Commissioners. [*Passed June 16.*

Legislative Records of the Council, xii., 384.

House Journal, p. 41.

CHAPTER 86.

RESOLVE ALLOWING TO L^T JOHN LARRABEE £161. 17 DUE ON ACCOUNT, AND £200 FOR FURTHER VICTUALLING THE GARRISON AT CASTLE WILLIAM.

An Accompt presented by Lieut John Larrabee of the Charge of Victualling the Garrison at His Majesties Castle William, the Honb^le William Dummer Esqr Commander, from Novem^r 23^d 1724, to May 23^d 1725, with a Certificate thereon of the Treasurers Examination & Adjustment thereof,

[Read, Accepted and]

Resolved that Mr Treasurer Allen be Directed to to[1] pay to the Accomptant Lieut^t John Larrabee the Sum of one hundred & Sixty one Pounds Seventeen Shillings being the Ballance of his Accompt, And

Legislative Records of the Council, xii., 385.

House Journal, p. 41.

[1] *Sic.*

further to Enable the Said Larrabee to Victual the Garrison at His Majesties Castle William According to the Last Establishment, Taking Security from him for the true & faithfull Performance thereof, That Mr Treasurer Allen be & hereby is Directed to pay & Advance to Lieut John Larrabee the Sum of Two hundred Pounds. [*Passed June 16.*

CHAPTER 87.

RESOLVE ON THE REPORT ABOUT SOLDIERS PAY DRAWN BY Lt LANE WITH COUNTERFEIT ORDERS.

Legislative Records of the Council, xii., 385.

House Journal, p. 45. Province Laws, ii., 335.

A PETITION of David Tyler and divers other Soldiers in His Majesties Service Eastward, Setting forth, That Lieut. John Lane hath forged & Counterfeited Orders to the Treasurer as from them, By means whereof he has Received the Wages due to them out of the Publick Treasury, And having no Remedy against the Said Lane, Who has Nothing of his own to Answer for the Said Sums, Therefore Praying that this Court would in Compassionate Consideration of their Necessitys, Allow & order the Payment of their Wages out of the Publick Treasury.

Which Petition being Referred to a Committee of the Representatives, They Reported thereon as follows; viz,

In Answer to the Petition of David Tyler and others Complaining that Lieut John Lane has by forged & Counterfeit orders taken up their Wages at the Treasurers; Pursuant therefore to the Direction of the House, The Committee have Examined the Treasurers Vouchers for the Payment of the Said Wages & find that Mr Treasurer Allen has by Vertue of the Above said Orders paid to the Said Lane, the Several Mens Wages due on the Muster Roll of the Said Lane the Last Fall; Viz,

David Tylers Wages	£14. –. –	Benja White	£10. 10. –
Aaron Knaps	8. 19. –	Philip Hall	6. –. –
Jacob Curtiss	12. 5. –	Simon George	10. 10. –
Robert Limbert	6. 15. 11.	Samuel Williams	10. 10. –
John Dill	10. 10. –	Edmund Black	8. 4. –
Michael Coffin	10. 10. –	And for Samuel Sanders his Wages on the Roll of Lt Coll Harman £27. 9. 1 & pd him 11/ Rests	26. 8. 1
Thomas Toothby	10. –. –		
Benja Austins	10. 10. –		
Benja Hutchins	6. –. –		
John Davis	6. –. –		
Josiah Linscot	7. 14. –		
John Parker	10. –. –		£186. 14. –

It appearing that the Abovesaid Wages were Received by the said Lane by Vertue of Orders by him Counterfeited as Aforesaid, And that the Said Lane has not paid the Said Sums nor any Part of them to the Said Persons to Whom the Same were due, And the Said Lane not being Able to pay them, Whereby the Men are greatly injured; The Committee are therefore humbly of opinion, That there be paid out of the Publick Treasury the Abovesaid Sum of One hundred & Eighty Six Pounds fourteen Shillings to the Several Abovesaid Soldiers to Whom the Same is due in full Discharge of their Wages on these Rolls, The Persons having been already Sworn that they never gave the Orders Above Mentioned.

And further the Committee are of Opinion, That the Treasurer be Directed to Prosecute the Said Lane in the Law in order to recover of him the Aforesaid Sums for the Use of the Province.

Thos CUSHING pr Order

Read & Accepted & Thereupon,

Resolved that the Sum of One Hundred & Eighty Six pounds fourteen Shillings be Allowed & paid out of the Publick Treasury to the Several Soldiers within named to Whom the Same is Respectively Due in full Discharge of the like Sum due to them for their Wages while in the Service of the Province, And it being what has been already paid by the Treasurer to Lieut^t John Lane but on forged & Counterfeit Orders by him Produced to the Treasurer, And further That Mr Treasurer be & hereby is Impowered & Directed to Prosecute the Said John Lane in order to Recover of him the Aforesaid Sums for the Use of the Province. [*Passed June 16.*

CHAPTER 88.

RESOLVE ALLOWING £8 TO W^M AYER.

A Petition of William Ayer, Shewing that he Enlisted as Surgeon of the Company of Voluntiers under the Command of Capt John Lovewell, that he faithfully Discharged his duty in that Capacity in the Two last Marches, & Expended about eight pounds on the Sick & wounded, Praying that the Same may be Allowed out of the Publick Treasury as well as Surgeons Pay for the Time of his Service.

Legislative Records of the Council, xii., 386.

House Journal, p. 33.

Read [Accepted] &

Resolved that the Sum of Eight Pounds be Allowed & paid out of the Publick Treasury to William Ayer the Petitioner in full for the Midicines, Administrations & Expences &c, Mentioned in the Petition. [*Passed June 16.*

CHAPTER 89.

RESOLVE ALLOWING £35 TO D^R THO^S ALDEN.

A Memorial of Thomas Alden of Dover Physician, Praying to be Allowed the Sum of Forty Eight pounds fourteen Shillings for Midicines & Attendance on the Sick & Wounded Soldiers in His Majesties Service Eastward at the Request of Several Commanders of the Forces, Agreeable to the Accompt herewith Exhibited.

Legislative Records of the Council, xii., 386.

House Journal, p. 42.

[Read, Accepted and]

Resolved that the Sum of Thirty five Pounds & no More be Allowed & paid out of the Publick Treasury to Dr Thos Alden in full Discharge of the Within Accompt. [*Passed June 16.*

CHAPTER 90.

RESOLVE ALLOWING £10 TO NICH^A SYMONDS.

A Petition of Nicholas Symonds, Shewing, that in December last he was taken in the Bay of Honduras by Skippon the Pirate, & Ordered on Board the Ship John & Mary of Boston (who was Also taken by the Said Pirate) & Directed to take the Command of her & follow the Said Pyrate, But Having Parted with the Said Skippen, He released two Forced Men that lay Bound in the Said Ship John & Mary & with

Legislative Records of the Council, xii., 387.

House Journal, p. 42.

their Assistance Destroyed three Pirates then on Board, & carried the Said Ship with her Lading into Rhode Island, And forasmuch as the Petitioner is in low Circumstances, & Dares not any longer follow his Employment on the Sea for Fear of the Pyrates Revenging the Death of their Companions, If he Should be taken, Therefore praying Some allowance from this Court for his Support.

Read &

Resolved that the Sum of Ten Pounds be Allowed & paid out of the Publick Treasury to the Petitioner Nicholas Symonds, In Consideration of the Men being released togather with the Ship Belonging to the Province. [*Passed June 16.*

CHAPTER 91.

RESOLVE ALLOWING PAYMENT ON CP^T SAM^L WHEELWRIGHTS MUSTER ROLL.

Legislative Records of the Council, xii., 387.

House Journal, p. 38.

A MUSTER ROLL of the Company in His Majesties Service Eastward under the Command of Capt Samuel Wheelwright, Containing an Accompt of Wages due to them for their Service from Decem^r 9th 1724, to June 1st 1725, Amounting to the Sum of £412. 9. 4.

[Read, Accepted and]

Resolved that the Sum of Four hundred & two pounds twelve Shillings & Seven pence be Allowed & paid out of the publick Treasury to the Officers and Soldiers born on this Roll (Agreeable to the Committees Report) in full Discharge of the wages thereof. [*Passed June 16.*

CHAPTER 92.

VOTE FOR THE ALLOWANCE OF SURGEONS OF THE VOLUNTIERS.

Legislative Records of the Council, xii., 387.

Resolved that for the Encouragement of a Surgeon to Proceed with a Company of Voluntiers of forty Men or Upwards against the Indian Enemy, That forty Shillings per Week be Allowed as Wages, His Necessary Midicines to be found by the Province, And that he be Entituled to the other Rewards, & Encouragements allowed to Voluntiers; And as many Companys of Voluntiers, that Shall Consist of the like Number of Men, & go in quest of the Indian Enemy Shall each of them be Allowed a Surgeon with the Aforesaid Encouragement for him.[1] [*Passed June 16.*

CHAPTER 93.

ORDER ON PETITION OF BENJ^A CASWELL BENJ^A NEWLAND & JOHN AUSTIN &c FOR A WRIT OF REVIEW.

Legislative Records of the Council, xii., 388.

House Journal, p. 43.

A PETITION of Benjamin Caswell & Mary his Wife, Benjamin Newland & Elisabeth His Wife, & John Austin & Sarah his Wife, all of Norton Husbandmen, W^ch Said Elizabeth, Mary & Sarah are Daughters of Samuel Hall late of Taunton Decs^d Shewing that the Petitioners & their Brother George Hall at the Inferiour Court for the County of

[1] Not found in the House Journal.

Bristol held in April 1720, commenced an Action of Trespass & Ejectment against John Symonds of Dighton for four Ninth Parts of a Certain Lot of Land in Dighton, Which was the Estate of their Father, & of which he Died Seized, in fee & Intestate, And Nicholas Moorey of Freetown being admitted Defend^t & Judgement being given for the Plaintiff That they recover the Lands Sued for &c The Said Moorey Appealed to the Next Superiour Court Held at Bristol in Septem^r 1720, When Judgement was rendered for the Said Morey the Reversion of the former Judgement & Costs, That the Plaintiffs took out a Writt in the Said Cause Returnable to the Superiour Court held in September 1723, but so it Happened that one of the Plaintiffs only, Viz, John Austin endorsed his Name on the Said Writt by which means it Abated, And so the Plaintiffs are without Remedy in the Law And their Brother hath Since Agreed with the Said Morey, And for as Much as the Said Austin thought his Endorsing would be Sufficient without the Others, He having a Power of Attorney from the other Petitioners, & not Apprehending it Necessary to Signify the Same in the Endorsement, Therefore Praying that the Petitioners may be Impowered to bring forward a New Writt of Review at the Next Superiour Court for the Said County of Bristol for Recovering of their Right Notwithstanding that the Time for Reviews by Law is Elapsed, And the Said George Hall one of the former Plantiffs has Agreed with the Said Moorey,

Read &

Ordered that the Prayer of the Petition be granted & that the Petitioners be Impowered to bring their writt of Review at the Next Superiour Court of Judicature for the County of Bristol Accordingly, And that the Judges be Authorized & Directed to Hear & Determine the Said Cause, Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed June 16.*

CHAPTER 94.

ORDER ON JOS: MEADERS PETITION FOR THE NANTUCKET INDIANS.

A Petition of Joseph Meader in Behalf of Divers Indians of Nantucket Shewing that this Court upon Hearing of the Petition of Several Indians of Nantucket were Pleased at their Session in Novem^r Last, to Order the further Consideration of the Said Indians Petition to be Referred to this Present Session in Order to the Said Affairs being Accomodated, Some Proposals having been made towards an Agreement; And in as Much as there is not yet an Agreement between the Partys nor any Probability thereof, Therefore praying that this Court would now take under their Consideration the Matter of the Said Petition & give the Said Indians Such Relief as may to them Seem just & Reasonable

Legislative Records of the Council, xii., 390.

House Journal, p. 49. *Ante*, p. 496, chap. 184.

Read &

Ordered that Meletiah Bourn, Danl Parker & Peter Thatcher Esq^rs be a Committee to Repair to Nantucket in the Recess of this Court & Make Inquiry into the Matters complained of by the Indians of Nantucket & Make Report to this Court at the Next fall Session what may be proper to be done in Answer to the Petition of the Said Indians, The Charge to be born as this Court Shall order. [*Passed June 17.*

CHAPTER 95.

RESOLVE ALLOWING £300 TO CPT LOVEWELLS COMPANY FOR THEIR GOOD SERVICE IN THE FIGHT AT PIGWACKET.

Legislative Records of the Council, xii., 390.

House Journal, p. 48.

Ante, p. 587, chap. 24.

Resolved that there be Allowed & paid out of the publick Treasury the Sum of Three hundred Pounds for the three Indians found Kill'd by Capt Lovewell & Company to them or their Lawfull Representatives, Although their Sealps were not Produced, The money to be Distributed Among the Officers & Soldiers of Said Company According to Law, That there be Allowed & paid out of the Publick Treasury to the thirty three Men who were in the late Action at Pigwacket (a List of whose Names is on the Other Side) or to their Lawfull Representatives the Sum of Nine Hundred & Ninety pounds (which is Thirty Pounds to each Man) That there be Also Allowed & paid out of of[1] the Publick Treasury unto the Representatives of the Six Men that were kill'd in the Late Action the Sum of Two hundred & ten pounds, viz, to Capt Lovewells Lovewells[1] Representative Sixty Pounds, to Josiah Farewells thirty pounds, to Jonathn Roblins's thirty Pounds, To Jacob Fulhams, thirty pounds, to Jacob Farrahs, thirty Pounds, to Elias Barron's thirty pounds; All which above Sums are to be paid to the Representatives of the Deceasd to be Distributed as the Law Directs for the Distribution of Intestate Estates; And that all Matters relating to those that were wounded in the late Action as to their Cure, Pensions &c be referred to the Consideration of this Court at their Next Session. [*Passed June 17.*

CHAPTER 96.

RESOLVE ALLOWING £31. 5 TO LUKE VARDY.

Legislative Records of the Council, xii., 391.

House Journal, p. 45.

AN ACCOMPT presented by Luke Vardy of the Charge of Entertaining the Honble the Lieut Govr & Council, upon the Day of the Election of Councellours, Amounting to the Sum of £35. 15.

[Read and]

Resolved that the Sum of Thirty one pounds five Shillings be Allowed & paid of out of the Publick Treasury to the Accomptant Luke Vardy in full Discharge of the within Accompt. [*Passed June 17.*

CHAPTER 97.

ORDER ON PETITION OF BENJA BAGNAL & THOMS EDWARDS &c IN REGARD TO AN ENTAIL.

Legislative Records of the Council, xii., 391.

House Journal, pp. 48, 49.

A PETITION of Benjam Bagnal & Elisabeth his Wife & Thomas Edwards & Sarah his Wife, all of Boston, Shewing that Elisabeth Sharp late of Cambridge Decd (Grand Mother to the Petitioners Elisabeth & Sarah) being Seized in her Demesne as of Fee of a Certain Peice of Land at Boston, a House & Homestead at Cambridge & Several other Small Tracts of Land Scituate in the County of Middlesex; All which She Devised by her Last Will & Testament to her only Daughter Dorothy Shove Decd (Mother of the Said Petitioners Elisabeth & Sarah) & to the Heirs of her Body lawfully Begotten in Tail; Wch Lands &c,

[1] *Sic.*

are now Descended to the Petitioners; And for as Much as the Peice of Land in Boston & the House & Homestead in Cambridge were by Vertue of an Order of the Honb^le the Superiour Court of Judicature Anno 1705, Sold for the Payment of the Said Dec^d Elisabeth's Debts. And the Remaining Part of the Said Deceased's Estate lying in Such small & Destinct Parcels & Remote from each other that they are not capable of Making Settlements thereon, And are of Little or no Advantage to the Petitioners, the Income thereof being very Small, Therefore Praying that this Court would be Pleased to Cut off the Entail from the Said Lands, That so the Petitioners may be benefitted thereby.

In Council; Read &

Ordered that the Prayer of the Petition be Granted, And that the Entail be & hereby is taken off, from the Lands Mentioned therein, Provided the Petitioners Vest, the Produce of the Said Lands in Some other Real Estate of Equal Value under the Same Entail, & Jonathan Dowse Esqr with Such as the Honb^le House of Represent^s Shall join are Appointed a Committee to Value the Said Land & take Care that the Abovesaid Condition be performed: In the House of Represent^s Read & Concurd: And

Ordered that Jonas Jonas[1] Bond Esqr & Mr Andrew Boardman be Joined in the Affair. [*Passed June 17.*

CHAPTER 98.

ORDER ON PETITION OF THE INHABITANTS OF THE NORTH PART OF CHARLESTOWN FOR A NEW TOWN.

A Petition of Benjamin Gerey, John Vinton, Timothy Wright, John Gold, Jonathan Green, & Daniel Green, in Behalf & by Direction of the Inhabitants of the North part of Charlestown near Reading, Shewing that for many years last past they have Laboured under many Inconveniences & Difficulties by Reason of their great Distance from the Meeting House & the Publick Place of the Towns Meetings, being about ten Miles Distant therefrom, Praying that the Lands lying between the North Side of Medford, the South Side of Reading the West Side of Malden & the East Side of Woburn Line till it comes to the Line between Woburn & Charlestown, a Cross the Country Road from Woburn to Medford & So all upon the East Side of the Country Road to Medford Line, may be Erected into a Separate & Distinct Township & have the Privileges Usually granted to Towns.

Legislative Records of the Council, xii., 392.

House Journal, p. 48.

Read &

Ordered that the Petitioners Serve the Town of Charlestown with a Copy of this Petition, That they Shew Cause if any they have, on the first Tuesday of the Next Fall Session, Why the Prayer of the Petition Should not be granted. [*Passed June 17.*

CHAPTER 99.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CP^T JN^O PENHALLOW.

A Muster Roll of the Company in His Majesties Service Eastward under the Command of Capt John Penhallow, Containing an Accompt

Legislative Records of the Council, xii., 393.

[1] *Sic.*

House Journal, p. 49.

of wages due to the Said Company for their Service from Decr 1st 1724, to June 7th 1725, Amounting to the Sum of £303. 1. 5.

[Read, Accepted and]

Resolved that the Sum of Two hundred & eighty two pounds Sixteen Shillings & five pence be Allowed & Paid out of the publick Treasury to the Officers & Soldiers born on the within Roll to Whom the Same is due (Agreeable to the Committees Report) in full Discharge thereof. [*Passed June 18.*

CHAPTER 100.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF CPT SAMUEL WRIGHTS COMPA.

Legislative Records of the Council, xii., 393.

House Journal, p. 49.

A MUSTER ROLL of the Company in His Majesties Service Westward under the Command of Capt Saml Wright, Containing an Accompt of Wages due to the Said Company for their Service from Novr 26th 1724, to June 9th 1725, Amounting to the Sum of £614. 0. 4 Togather with the Sum of £230. 5. 1 for Subsisting the Said Company Part of the Time.

[Read, Accepted and]

Resolved that the Sum of Seven Hundred & Seventy Pounds Six Shillings & Nine pence be Allowed & paid out of the Publick Treasury to Capt Saml Wright and the Officers & Soldiers born on the Within Roll to Whom the Same is due for Wages & Subsistence to be paid by the Said Wright to the Persons to Whom it is due; And that the further Sum of Seventy three pounds eighteen Shillings & eight pence be Allowed & paid out of the Publick Treasury to Ensign Eleazer Warner to be by him paid to the persons that Subsisted the Men on the third Sheet. [*Passed June 18.*

CHAPTER 101.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF THE GARRISON AT FORT GEORGE.

Legislative Records of the Council, xii., 393.

House Journal, pp. 41, 49.

A MUSTER ROLL of the Garrison in His Majesties Service at Fort George at Brunswick under the Command of Capt John Gyles, Containing an Accompt of Wages due to the Said Garrison for their Service from June 11th 1724, to June 9th 1725, Amounting to the Sum of £371. 4. 8.

[Read, accepted and]

Resolved that the Sum of Three Hundred & fifty Six pounds twelve Shillings & Seven Pence be Allowed & paid out out[1] of the Publick Treasury to the Officers & Soldiers born on the within Roll, (Agreeable to the Committees Report) in full Discharge of the Wages thereof. [*Passed June 18.*

[1] *Sic.*

CHAPTER 102.

RESOLVE ALLOWING £16. 5. 10 TO CPT JNO GYLES.

An Accompt presented by Capt John Gyles of the Charge of Hawling fire Wood & Stores for the Garrison at Fort George & for Candles & Oyl, & for Rum Tobacco &c Supplied to the Mowhawks, Amounting to the Sum of £16. 5. 10.

Legislative Records of the Council, xii., 394.

House Journal, p. 54.

[Read, accepted and]

Resolved that the Sum of Sixteen pounds five Shillings & ten pence be Allowed & paid out of the publick Treasury to Capt John Gyles in full Discharge of the within Accompt. [*Passed June 18.*

CHAPTER 103.

RESOLVE ALLOWING £33. 15. 3 TO ROBT FORRESTER.

An Accompt presented by Robert Forrester, for Work by him done at the Governrs House, Togather with Nails Plank, Boards &c for the Said Work: Amounting to the Sum of £33. 15. 3.

Legislative Records of the Council, xii., 394.

House Journal, p. 53.

[Read and]

Resolved that the Sum of Thirty three Pounds fifteen Shillings & three pence be allowed & paid out of the publick Treasury to Robert Forrester the Accomptant, in full Discharge of the within Accompt. [*Passed June 18.*

CHAPTER 104.

RESOLVE ALLOWING £13. 11. 3½ TO COLL JNO SCHUYLER.

An Accompt presented by Coll. John Schuyler of Albany of Sundry Disburstments for Henrick & other Mowhawks for thier Journey to Boston for Expresses &c Amoounting to the Sum of £13. 11. 3½.

Legislative Records of the Council, xii., 394.

House Journal, p. 50.

[Read Accepted and]

Resolved that the Sum of Thirteen pounds eleven Shillings & three pence Half peny be Allowed & paid out of the Publick Treasury to Coll' John Schuyler or his Order in full Discharge of the within Accompt. [*Passed June 18.*

CHAPTER 105.

RESOLVE GRANTING COMMISSIONERS TO CANADA A DISCHARGE IN £600 AND A FURTHER ALLOWANCE OF £5. 2. 6.

An Accompt presented by Samuel Thaxter & William Dudley Esqrs the late Commissioners to Canada of the Charge of Equipping & fitting themselves & Attendants & the Expences on their Journey & at Canada for which £600 was Advanced by Order of the General Court; Ballance due to the Said Commissioners is £5. 2. 6.

Legislative Records of the Council, xii., 394.

Legislative Records of the Council, xii., 344. House Journal, p. 49. *Ante*, p. 565, chap. 392.

Read [Accepted] &

Resolved that the Accomptants the Commissioners be & hereby are Discharged from the Sum of Six hundred pounds Advanced & paid

to them out of the Publick Treasury by a Resolve of this Court the Twenty third of December Past, And that the Sum of five Pounds Two Shillings & Six pence be Allowed & paid out of the Publick Treasury to the Accomptants being the Ballance of their Accompt in full Discharge thereof. [*Passed June 18.*

CHAPTER 106.

RESOLVE ALLOWING £38. 2. 11 TO L^T JN^O LARRABEE.

Legislative Records of the Council, xii., 394.

House Journal, p. 47.

AN ACCOMPT presented by Lieut^t John Larrabee of Work done at his Majesties Castle William the Honb^le William Dummer Esqr Commander, Agreeable to the Tradesmens Bills, Amounting to the Sum of £38. 2. 11.

[Read and]

Resolved that the Sum of Thirty eight pounds two Shillings & Eleven Pence be Allowed & paid out of the Publick Treasury to the Accomptant John Larrabee to be by him paid to the Persons to whom the Same is Respectively due in full Discharge of the within Accompt. [*Passed June 18.*

CHAPTER 107.

RESOLVE ALLOWING £18. 15 TO SAM^L TYLEY.

Legislative Records of the Council, xii., 395.

House Journal, p. 53.

AN ACCOMPT presented by Mr Samuel Tyley of Writing done for the Governm^t to June 16th 1725, Amounting to the Sum of £18. 15.

[Read and]

Resolved that the Sum of eighteen pounds fifteen Shillings be Allowed & paid out of the Publick Treasury to the Accomptant Saml Tyley in full Discharge thereof. [*Passed June 18.*

CHAPTER 108.

RESOLVE ALLOWING 15/ TO MARY FAREWELL.

Legislative Records of the Council, xii., 395.

House Journal, p. 50.

AN ACCOMPT presented by Mary Farewell of Nursing & Attendance on Jonath^n Fish a Sick Soldier, Amounting to fifteen Shillings.

[Read and]

Resolved that the Sum of fifteen Shillings be Allowed & paid out of the publick Treasury to Mary Farewell in full Discharge of the within Accompt. [*Passed June 18.*

CHAPTER 109.

RESOLVE ALLOWING £14. 19. 7 TO EDM^D MOUNTFORTH.

Legislative Records of the Council, xii., 395.

House Journal, p. 47.

AN ACCOMPT presented by Edmund Mountforth of Disburstments for the Hire of a Shop for the Armourer of the Forces, Store House Hire, & for Oars for the Whale Boats, Amounting to the Sum of £14. 19. 7.

[Read and]
Resolved that the Sum of fourteen Pounds Nineteen Shillings & Seven pence be Allowed & paid out of the Publick Treasury to the Accomptant Edmund Mountforth in full Discharge of the within Accompt. [*Passed June 18.*

CHAPTER 110.

RESOLVE ALLOWING £233. 9. 9 TO COMMISSRS TO CANADA & THEIR ATTENDANTS.

An Accompt presented by Coll Thaxter & Coll Dudley of Wages due to them for their Service as Commissioners to the Governour of Canada & Wages for their Servants Attendants & Interpreters for their Respective Services the Several Sums being Set against their Names Respectively, Amounting in the Whole to the Sum of £255. 9. 9.

Legislative Records of the Council, xii., 395.

House Journal, p. 49. *Ante*, p. 615, chap. 105.

[Read, Accepted and]
Resolved that the Sum of Two hundred & thirty three pounds Nine Shillings & Nine pence[1] be Allowed & paid out of the Publick Treasury to the Commissrs & their Attendants to Whom the Same is Respectively due (Agreeable to the within Accompt[2] in full Discharge thereof, the Sum of Twenty two pounds four Shillings being deducted from John Wells for So Much he is indebted to the Province. [*Passed June 18.*

CHAPTER 111.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CAPT JOS' HEATHS COMPA.

A Muster Roll of the Garrison in His Majesties Service Eastward at the Fort at Richmond, under the Command of Capt Joseph Heath, Containing an Accompt of Wages due to them for their Service from the 21st of Novemr 1724 to the 15th of June 1725, Amounting to the Sum of £719. 14. 1.

Legislative Records of the Council, xii., 396.

House Journal, p. 49.

[Read Accepted and]
Resolved that the Sum of Seven hundred & eleven pounds Sixteen Shillings & three pence be Allowed & paid out of the Publick Treasury to the Officers & Soldires born on the within Roll to Whom the Same is Respectively due (Agreeable to the Committee's Report) in full Discharge of the wages thereof. [*Passed June 18.*

CHAPTER 112.

ORDER ON REHOBOTH PETITION FOR REPEAL OF A CERTAIN RESOLVE.

A Petition of Nathaniel Brown & Joseph Peck in the Name & by order of the Town of Rehoboth, Shewing that in the Year 1670, the General Court of Plymouth, Pursuant to a Reserve by them Made in

Legislative Records of the Council, xii., 396.

[1] The House Journal reads, £233. 5. 9.
[2] The parenthesis should, it seems, close here.

House Journal, p. 50. *Ante*, p. 374, chap. 268.

the grant of Swanzey to be made a Township in the Year 1667 upon a Controversy between Rehoboth & Swanzey about rating Some Salt Meadows belonging to the Inhabitants of Rehoboth, did after a full Hearing of both Towns order & Determine for a final Issue of the Controversy, that the Said Meadows Known by the Name of the Hundred Acre Meadows, Notwithstanding they lay in Swanzey Should be rated to the Town of Rehoboth, And that the Town of Barrington under Pretence of a Resolve pass'd in Octo^r 1723, (the Town of Rehoboth not having any Notice, that So they might make Answer,) have taken upon them to rate the Petitioners Meadows, towards Defraying the Publick Charges of the Said Town of Barrington, Praying that this Court would Please to Repeal the Said Resolve, That so the Town of Rehoboth may quietly enjoy that which they conceive to be their Right, or that they may be Relieved in Such a Manner as to this Court may Seem just & fit.

Read & REFER'D to the Second Thursday of the Next Session of this Court for further Consideration, And that in the Mean Time the Petitioners Serve the Adverse partys with a Copy thereof, That they may then Shew Cause If any they have, Why the prayer of the Petition Should not be Granted. [*Passed June 18.*

CHAPTER 113.

ORDER REFERRING JOHN SHEFFIELDS PETITION FOR A WRIT OF REVIEW.

Legislative Records of the Council, xii., 362, 396.

House Journal, p. 53.

A PETITION of John Sheffield of Tiverton, Shewing that one Danl Howland of Tiverton aforesaid brought his Writt of Ejectment against your Petitioners Father Amos Sheffield, at the Inferiour Court Held at Bristol in April 1709, for the Recovery of the Possession of a Certain Tract of Land containing Nine Acres in Tiverton Aforesaid; At which Court the Said Amos Sheffield recovered Costs; from which Judgement the Said Danl Howland Appealed to the then Next Superiour Court for the Said County held in September following, At which Time the Said Amos Sheffield being in His Majesties Service could not attend the Tryal, & for want of a proper Defence the former Judgement was Reversed & the Said Daniel Howland recovered Possession of the Land Sued for & Costs; And whereas the Petitioners Grand Mother Mary Peirce late of Tiverton Widow & Executrix to the Said Amos Sheffield then Deceas^d did on the Twenty Second day of May 1712 bring her Writt of review of the Said Plea of Tresspass & Ejectment against Mary Howland Widow of the Said Danl Howland then Deceas^d for Reversing the Said Judgement, which was Tried at the then Next Superiour Court of Judicature for the Said County, And the Said Mary Peirce being Aged & Infirm & the Petitioner in his Non Age, by Which means the Lawyers were not fully Instructed, Judgement was Given against the Said Mary Peirce, And for as much as others Who have the Same Title to their Lands adjoining to the Petitioners, have Since had their Lands Surrendered up by the Possessors, Therefore praying that the Petitioner as Administrator of his Fathers Estate with the Will annexed, may be Impowered to bring another Writt of Review of the Said Action at the Next Superiour Court to be held at Bristol against the Said Mary & Daniel Howland for Possession of the Said Nine Acres of Land, And (in Regard that the Said Mary & Daniel Howland live out of the Province) that the Sheriff of the County of Bristol his Leaving a Copy of the Said Writt of Review with John Howland the Tenant in Possession fourteen Days before the Sitting of the Said Court may be deemed a good Service.

Ordered that the Consideration of this Petition be refer'd to the Next fall Session, And that the Adverse Party give in His Answer on the first Tuesday of the Said Session. [*Passed June 18.*

CHAPTER 114.

ORDER ON PETITION OF Mrs ABIEL METCALF IMPOWERING JONATHAN AND JOHN METCALF TO SELL LAND.

A Petition of Abiel Metcalf Relict Widow of Joseph Metcalf late of Falmouth in the County of Barnstable Clerk Decd, Shewing that her Said Husband at his Decease left the Petitioner with Seven Children all of them Minors; That Most of the Personal Estate is gone to pay the Deceasds Debts, And the Real Estate (though of Considerable Value if it was Sold) will not Support the Petitioner & her family by the Rent thereof, Therefore praying that this Court would Please to appoint & Impower Jonathan & John Metcalf Bretheren of her late Husband, to Make Sale of the Said Real Estate of which her Husband died Seized for the Maintenance of her Children, the Remainder to be for them when they Come of Age; Saving only that the Intrest of one Third may be for her Use during her Natural Life.

Legislative Records of the Council, xii., 397.

House Journal, p. 52.

Read &

Ordered that the Prayer of this Petition be so far Granted that Messrs Johnathan & John Metcalf be & hereby are fully Impowered to Make Sale of the Real Estate of the late Mr Joseph Metcalf of Falmouth Deceasd & to give good & Sufficient Deeds in the Law for the Same Provided the Said Jonathan & John Metcalf give good Security to the Judge of ye Probate of Wills for the County of Barnstable for the faithfull Performance of their Trust, One third part of the Intrest or Profits of the Money produced by the Said Sale to be for the Support of the Widow the Petitioner during her Life, the other Two thirds for the Maintenance & Education of her Children; The Principal to Remain entire until the Children come of Age, And then to be Divided to & among them as the Law Directs. [*Passed June 18.*

CHAPTER 115.

RESOLVE REFERRING TO THE SETTLEMENT & SUPPORT OF THE PRESIDENT OF THE COLLEGE AND ALLOWING £150 TO MR PRESIDENT WADSWORTH.

In the House of Represents

Resolved that Mr Speaker, Mr Lewis Mr Remington, Mr Quincy & Mr Wainwright, with Such as the Honble Board Shall Appoint be a Committee in the Recess of this Court to enquire into And examine the State of the College Treasury & Revenues & how the Same is appropriated & Disposed, to enquire into the Rents & Profits of the New College or Massachusetts Hall, & Whether they have been Expended & for What Uses, And the Said Committee are hereby Impowered to look out a Suitable House for the Reception of the President & know What the Same may be had for, And make Report of the Whole to this Court at their Next Session, That So an Honourable[1] Settlement & Support may be Allowed for the Revd the President of Harvard College, Which is the full Intention of this Court; And that

Legislative Records of the Council, xii., 397.

Legislative Records of the Council, xii., 222, 300, 321. House Journal, pp. 52, 53. *Ante*, p. 27, chap. 55.

[1] *Sic.*

there be Allowed & paid out of the Publick Treasury the Sum of one hundred & fifty pounds to the Reverd Mr Benjamin Wadsworth to Enable him to enter upon & Manage the Great affair of President of Harvard College, to which he is appointed.

In Council, Read & Concurd, And the Honoublе William Tailer, John Clark, Edmund Quincy & Adam Winthrop Esqrs are Joined on the Affair Above. [*Passed June 18.*

CHAPTER 116.

RESOLVE ALLOWING £30 TO ENCOURAGE THE ENLISTING OF INDIANS IN THE COUNTY OF BRISTOL.

Legislative Records of the Council, xii., 398.

Executive Records of the Council, viii., 241.

Resolved for the Encouragemt of Enlisting Indian Voluntiers in the County of Bristol That the Sum of Thirty Pounds be Allowed & paid out of the Publick Treasury to Thomas Church Esqr by him to be Given Twenty Shillings to every Able bodied effective Indian that will Voluntarily Enlist into His Majesties Service against the Indian Enemy, The Money to be Paid to each Indian upon his Enlistment, And that His Honour the Lieutt Goverr be Desired to give Orders to the Said Thomas Church Esqr for the Enlisting of thirty Indians as Aforesaid, & for his Bringing them down to Boston when enlisted to proceed into the Service Accordingly, The Said Church to Accompt for the Disposition of the Money.[1] [*Passed June 18.*

CHAPTER 117.

ORDER ON INDENT OF STORES FOR FORT GEORGE.

Legislative Records of the Council, xii., 398.

House Journal, p. 54.

AN INDENT presented by Capt John Gyles of Sundry Stores wanting at His Majesties Fort George at Brunswick, under his Command.

Read &

Ordered that Mr Treasurer Allen be Impowered & Directed to Supply So much of the Stores within Mentioned as are Necessary for the Supply of Fort George, Capt John Gyles Commander, the Said Gyles to be Accomptable for the expence of the Stores. [*Passed June 18.*

CHAPTER 118.

ORDER ON WM & MARY STACEY & JAMS ROWLANDS PETITION FOR POWER TO EXECUTE A DEED.

Legislative Records of the Council, xii., 398. Mass. Archives, xvii., 402.

Mass. Archives, xvii., 400. House Journal, pp. 45, 46.

A PETITION of William Stacey of Marblehead & Mary his Wife, (formerly Mary Houlton) Relict Widow & Executrix of James Houlton late of Salem Deceasd & James Rowland of Marblehead Aforesaid. Shewing that Eleazer Lynde late of Lyn Deceasd by his last will & Testament devised a House & two Small Tracts of Land. Containing about Eleven Acres to Sarah his Wife for Life the Remainder to James Rowland his Grandson (The Petitioner) in Fee, That in May 1721 the Said Sarah & James Houlton (who was Guardian to the Petitioner James Rowland then an Infant[2] did for the Advantage of the Said Rowland, &

[1] Not found in the House Journal.
[2] The parenthesis should, it seems, end here.

in Consideration of the Sum of One hundred & forty pounds convey the Said Premisses to Benjamin Newhall of Lyn Aforesaid; But for as Much as the Grantors could not pass a good & Sufficient Title in the Law to the Said Grantee; the Said James Houlton gave his Bond to the Said Newhall in the Penal Sum of £280 Conditioned that the Said James Rowland immediately after his Attaining the Age of Twenty one Years Should execute A Good & Sufficient deed of Sale for the Same, At or about the Same Time James Holton invested the Money received of the Said Newhall as Afores^d in the Purchase of a Dwelling House & Land at Marblehead, Where the Petitioner Rowland was an Apprentice in Order for a Settlement when he Should be out of his Time, But for as Much as the Said Holton had entered into Such Bonds as Aforesaid, for his Safety therein, He took the Deed of the last Mentioned House & Land of Benjamin James, the Grantor in his Own Name till Such Time as the Said Rowland Should Attain the Age of Twenty one Years; But it pleased God to take away the Said Holton before that Time, He leaving Several Young Children, And for as much as the Petitioner Rowland, though now of Age hath not executed Such Deed to the Said Newhall, for that there is no Person qualified by Law to execute an Instrument for the House & Land at Marblehead to him the Said Newhall, hath therefore put the Said Bond in Suit, Which if recovered will be to the great Destruction of the Said Houlton's Estate, But the Court have Continued the Said Action, till Application may be made to this Court; Therefore Praying that the Petitioners William Stacey & Mary his Wife as She is Executrix as Aforesaid may be Impowered to execute a good Conveyance in the Law of the House & Land Purchased at Marblehead as Aforesaid to protect the Estate of the Said Houlton from the Penalty of the Aforesaid Bond as in the Cases of an insolvent Estate or Otherwise, as this Court Shall See Meet, And the Petitioner Rowland will thereupon execute a Deed to the Said Newhall According to the Condition of the Said Bond Which will fulfill the primary Design of all Parties;

Read and

Ordered

That the Prayer of this Petition be Granted and that the Hon^be the Judges of the Superiour Court of Judicature to be holden at Salem on the last Tuesday of October next within and for the County of Essex are hereby Directed and Impowred to Enable the Petitioners William Stacy and Mary his wife as She is Executrix of James Holton deceased to pass and make a good Deed or Deeds in the Law of the Messuage Land and premisses Situate in Marblehead as Set forth in the petition to the Petitioner James Rowland upon the Petitioner James Rowland his Executing on his part a good and Sufficient Deed or Deeds in the Law of the Messuage Land and premisses Situate in Lynn as in the Said Petition to Benjamin Newhall therein named whereby the Said Holtons Estate may be discharged of the said Bond Mentioned in the Petition as in the Case of Insolvent Estates any Law usage or Custom to the Contrary notwithstanding. [*Passed June 18.*

CHAPTER 119.

ORDER ON NATH^L AYRES PETITION COMPLAINING OF A JUDGMENT BY DEFAULT.

A Petition of Nathaniel Ayres of Boston Blacksmith, Shewing that william Hollins & Joan his Wife (as the Said Joan was Administrator[1] Legislative Records of the Council, xii., 379, 400.

[1] *Sic.*

House Journal, p. 58.

of her former Husband James Eason) brought her Action of the Case against the Petitioner at the Inferiour Court of Common Pleas held at Boston for the County of Suffolk in January Last, That the Petitioner being Sick & not able to Attend the Court until Fryday in the Afternoon, In the forenoon of the Said day the Action was called out by Default, He not having Employed an Attorney, That the Judges Obliged him to pay the Costs at that Time in order to have the Action proceed, & Oblige the Plantiffs to reenter, upon which he agreed to pay the Reasonable Costs, But the Plantiffs Attorney Pleaded he had Sent away Several of the witnesses, And the Justices thereupon Continued the Said Action to the Adjournment of the Court, the petitioner agreeing thereunto, at which Adjournment the Partys Disputed about the Reasonableness of the Costs, and the Clerk of the Court being Absent, & no person there to examine the Bill of Costs, the Cause was Continued to the Next Court, at which Time the Justices would not admit the Petitioner to a Tryal because there was no Re-entry of the Action, but entered up Judgement against the Petitioner for his Default, And therefore Praying that this Court would allow him to have a Tryal upon the Merits of his Cause at the Next Inferiour Court for the Said County & that Execution may be Staid in the Mean Time.

Read and

Ordered that the Prayer of the Petition be so far Granted, as that the Petitioner be & hereby is Impowered to have a Tryal of the Cause Mentioned in the Petition upon the Merits, at the Inferiour Court of Common Pleas for the County of Suffolk, to be held on the first Tuesday of October Next, And the Justices of the Said Court are Authorised & Directed to Hear & Determine the Said Cause accordingly And that the Execution on the Judgement by Default be Staid in the Mean Time, Any Law Usage or Custom to the Contrary Notwithstanding, Provided the petitioner give Seasonable Notice to the Adverse party. [*Passed June 19.*

CHAPTER 120.

RESOLVE ON THE TRUSTEES ACC^O^ OF THE £50,000 LOAN.

Legislative Records of the Council, xii., 400.

House Journal, p. 55. Province Laws, i., 750, chap. 10.

THE ACCOMPTS of the Trustees of the £50,000 Loan Begining the 7th of June 1723, And Ending the 23^d^ of Novem^r^ 1724, Amounting in the Whole to the Sum of £3,173. 6. 3 (Whereof £2,132. 10. 3 is in part of Principal, & the remaining Sum of £1,040. 16 is Interest) By which Accompt it Appears that the Said Trustees had expended in Law Suits Forty two pounds one Shilling & eight pence, & thirty five pounds ten Shillings paid themselves their Due by Law the Remaining Sum of Three thousand Ninety five pounds fourteen Shillings & Seven pence was by them paid into the Publick Treasury.

Read [Accepted] &

Resolved that the Trustees the Accomptants be & hereby are Discharged of the Said Sum of Three Thousand one hundred & Seventy three pounds Six Shillings & three pence Accordingly. [*Passed June 19.*

CHAPTER 121.

RESOLVE ON ACC° OF THE COMMISS^RS OF THE £100,000 LOAN FOR HAMPSHIRE.

The Accompts of the Commiss^rs of the £100,000 Loan for the County of Hampshire, Begining Feby 13th 1722, 3 & Ending Feby 13th 1724, 5, By Which it appears there is due to the Province from the Commissioners the Sum of £770. 2. 1 with what was due in their last Accompt.

Legislative Records of the Council, xii., 401.

House Journal, p. 56. Province Laws, ii., 61, chap. 18. *Ante*, p. 400, chap. 347. *Infra*, chap. 122.

[Read, Accepted and]

Resolved that the Accomptants the Commissioners be & hereby are Ordered & Required forthwith to pay into the Treasurer the Sum of Seven hundred & Seventy Pounds two Shillings and one peny, now in their Hands as Appears by these two Accompts pass d the tenth of December 1723, as they will avoide a Prosecution in the Law for Recovery of the Same. [*Passed June 19.*

CHAPTER 122.

RESOLVE ON ACC° OF THE COMMISS^RS OF THE £100,000 LOAN FOR SUFFOLK.

The Accompts of the Commissioners of the £100,000 Loan for the County of Suffolk, begining the 13th of Feby 1720, 1 And ending the 13th of Feby 1722, 3, By which it appears that the Said Commiss^rs have received the Sum of £3,189. 16. 1 & paid into the Treasury £3,058. 9. 11 And the remaining £131. 6. 2 they Accompt for as follows £111. 10. 8 their due by Law, £8 for Book keeping, £9. 15. 6 Charges in Law Suits & that £95 is Outstanding of Intrest Money & £527. 18. 6 of the Principal is in their Hands not let out.

Legislative Records of the Council, xii., 401.

House Journal, p. 56. Province Laws, ii., 61, chap. 18. *Supra*, chap. 121. *Infra*, chap. 123.

Read & Accepted &

Resolved that these Two Accompts be Allowed, And that the Said Commissioners be Discharged accordingly, Excepting the Articles of Nine pounds fifteen Shillings And Six pence for Charges of Law Suits, & Ninety five pounds outstanding Intrest Money in the Above Accompt, Which they are Still Accomptable for. [*Passed June 19.*

CHAPTER 123.

RESOLVE ON ACC° OF THE COMMISS^RS OF THE £100,000 LOAN FOR MIDDLESEX.

An Accompt of the Commissioners of the £100,000 Loan for the County of Middlesex, Begining Feby 13th 1722, 3 & Ending Feby 13th 1723, 4 By which it appears that the Said Commissioners have received for Intrest & Court Charges the Sum of £859. 3. 11^d & Paid into the Treasury £775. 13. 9 & for the remaining £83. 10. 2 they Accompt as follows; Viz, £40. 17 their Due by Law, £8 for Book Keeping & £34. 13. 2 for Law Suits, Intrest outstanding being £1,050. 13. 7 & the Sum of £34. 15 of the Principal Still in their Hands not let out.

Legislative Records of the Council, xii., 401.

House Journal, p. 56. Province Laws, ii., 61, chap. 18. *Ante*, p. 400, chap. 348. *Supra*, chap. 122.

Read [Accepted] &

Resolved that the Said Commissioners the Accomptants be & hereby are Discharged from the Said Sum of Eight Hundred fifty Nine Pounds

three Shillings & Eleven pence, Excepting the Article of Thirty four pounds thirteen Shillings & two pence for Law Suits, which they are Still Accomptable for, As also for the Sum of One thousand & fifty Pounds thirteen Shillings & Seven pence Outstanding Intrest Money on this & the Last Accompt. Pass'd Decr 10th 1723. [*Passed June 19.*

CHAPTER 124.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF CAPT SAM JORDAN & COMPA.

Legislative Records of the Council, xii., 402.

House Journal, p. 55.

A MUSTER ROLL of the Company in His Majesties Service, Eastward under the Command of Capt Saml Jourdan, Containing an Accompt of Wages due to the Said Company for their Service from Octr 30th 1724, to the 17th of June 1725, Amounting to the Sum of £580. 2. 8.

[Read, Accepted and]

Resolved that the Sum of Five hundred & fifty Seven pounds & eleven pence be Allowed & paid out of the Publick Treasury to the officers & Soldiers born on the within Roll to Whom the Same is due for Wages And that the further Sum of Thirty Shillings & four pence be Allowed & paid out of the Publick Treasury to Capt Samuel Came for the like Sum due to Richard Welch Who was drowned & to Discharge Coroners Inquest Which is in full Discharge of the Wages of this Roll, Agreeable to the Committees Report. [*Passed June 19.*

CHAPTER 125.

RESOLVE ALLOWING £15 FOR THE BRIDGE AT PATUCKET RIVER.

Legislative Records of the Council, xii., 402.

House Journal, pp. 53, 54.

Resolved that the Sum of Fifteen pounds be Allowed & paid out of the Publick Treasury to Capt John Foster of Attleborough to be Employed for the repairing the Province part of the Bridge over Patucket River, between Rehoboth & Providence, Part of the repairs belonging to the Colony of Rhode Island, The Said Foster to Accompt for the Expences of the Money. [*Passed June 19.*

CHAPTER 126.

RESOLVE ALLOWING £46. 12 TO DR GEORGE PEMBERTON.

Legislative Records of the Council, xii., 402.

House Journal, p. 55.

AN ACCOMPT presented by Dr George Pemberton of Medicines & Attendance on the Sick & Wounded of the Garrison at His Majesties Castle William, the Honble William Dummer Esqr Commander, from the 1st of Decemr 1724 to the Twenty Second of May 1725, Amounting to the Sum of £46. 12.

[Read, Accepted and]

Resolved that the Sum of Forty Six Pounds twelve Shillings be Allowed & paid out of the Publick Treasury to Dr George Pemberton in full Discharge of this Accompt. [*Passed June 19.*

CHAPTER 127.

RESOLVE ALLOWING £2. 10 TO THO^s RICH.

A Petition of Thos Rich of Salem Shewing that Capt Majory Commander of the Guard Vessell for the Fishery in the Year 1724, upon the Sickness of the Surgeon engaged the Petitioner to Serve in that Quality, & he was Informed that the Wages Allowed for a Surgeon was eight Pounds per Month, & that he put himself to great Inconvenience to serve the Province in that Exigence, for Which he has been paid only at the Rate of Three pounds ten Shillings per Month, Praying Such Additional Allowance for his Said Service as may Make up to him the Usual Allowance to Surgeons in the Service of this Province

Legislative Records of the Council, xii., 402.

House Journal, p. 42. *Ante*, p. 490, chap. 169.

Read [accepted] &

Resolved that the Sum of Two Pounds ten Shillings be Allowed & paid out of the Publick Treasury to the Petitioner Thomas Rich in full of his Wages as Surgeon While in the Service of the Province as Within Mentioned. [*Passed June 19.*

CHAPTER 128.

ORDER ON THE PETITION FOR PULLING DOWN ANTHONY CHECKLY'S HOUSE.

A Petition of John Allen, Thomas Hunt, Benjamin Emmons & divers Others Inhabitants of the Town of Boston, Setting forth that the House Wherein Anthony Checkley Esqr Lately dwelt formerly the Estate of Mr Benj^a Gibbs, Scituate in Hanover Street in Boston is in So ruinous a Condition that the Petitioners who live near it are in Continual Fear of its falling to the Destruction of their Children, who frequently play about the Said House to the Great Hazzard of others that May be Accasionaly near it, That the Said House has been presented by the Grand Jury for the County of Suffolk, But it being taken in Execution for a Debt of £340 due by Mortgage which the Heirs Neglected to pay for Redemption of the Said Estate, Nothing is done either for repairing or Demolishing the Said Ruinous House, And therefore Praying that this Court would Order that the Said House be forthwith pulled down, that So it may not fall down & Destroy the Petitioners Children or others Occasionally passing by.

Legislative Records of the Council, xii., 403.

House Journal, pp. 58, 59. *Ante*, p. 109, chap. 15.

W^ch Petition being read in Council A Survey of the Said House was Ordered, & return made that the Said House was in very ruinous Circumstances & in great Danger of Falling down, Whereupon the following Vote was Pass'd in Council; Viz

Ordered that the Administrator or Person interested in the House Complained of in this Petition take Care to pull Down the Said House, or Sufficiently Secure it from falling & Hurting any Persons by the first day of July Next, And in Case the Administrator & other Persons Concerned Shall Neglect to do the Same, That the Sheriff of the County of Suffolk employ Some Persons to pull it Down forthwith after the Said first day of July, And that they be paid for their Trouble out of the Materials of the Said House.

In the House of Represent^s Read & Concurd. [*Passed June 19.*

CHAPTER 129.

RESOLVE ALLOWING 28/ TO Mr WESTWOOD COOK.

Legislative Records of the Council, xii., 403.

House Journal, p. 60.

TWO ACCOMPTS of Mr Westwood Cook, one for Ferrying of Horse Men in the Service, the other for Pasturing of Horses belonging to the Connecticut Soldiers, Both Amounting to the Sum of Twenty eight Shillings.

[Read, Accepted and]

Resolved that the Sum of Twenty eight Shillings be Allowed & paid out of the Publick Treasury to Mr Westwood Cook to be by him paid to the Persons to Whom the Same is due in full for the forrage & ferryage of the Said Horses. [*Passed June 19.*

CHAPTER 130.

RESOLVE ALLOWING £17. 10 TO DAV: MELVIL.

Legislative Records of the Council, xii., 404.

House Journal, p. 54. *Ante*, p. 555, chap. 356. *Infra*, chap. 131.

A PETITION of David Melvil. Keeper of His Majesties Goal in Boston Praying to be Allowed out of the Publick Treasury the Sum of Twenty one pounds Nine Shillings & Six pence for Keeping of Maurice Fitz Gerald a Prisoner under a Sentence of the Court of Assize, So much being due to him According to an Establishment of four Shillings & eight pence per Week made by this Court;

Read [accepted] &

Resolved that the Sum of Seventeen pounds ten Shillings be Allowed & paid out of the publick Treasury to the Accomptant David Melvil in full for Keeping the Said Maurice Fitz Gerald. [*Passed June 19.*

CHAPTER 131.

RESOLVE ALLOWING £33. 1. 5 TO DAV: MELVIL.

Legislative Records of the Council, xii., 404.

House Journal, pp. 54, 55. *Ante*, p. 555, chap. 357. *Supra*, chap. 130.

AN ACCOMPT presented by David Melvil Keeper of His Majesties Goal in Boston, for the Charge of Keeping William Taylour & William Phillips, two Persons Convict of Piracy but Pardoned by his Majestie, from May 5th 1724. to June 8th 1725, togather with Extraordinary Charges & Attendance on William Phillips, Amounting to the Sum of £44. 10.

[Read, Accepted and]

Resolved that the Sum of Thirty three Pounds one Shillings[1] & five pence be Allowed & paid out of the Publick Treasury to the Accomptant David Melvil, Which is five Shillings per Week besides Extraordinarys, And is in full discharge of this Accompt. [*Passed June 19.*

[1] *Sic.*

CHAPTER 132.

RESOLVE ALLOWING £13. 9. 9 TO CAP^r JOS: HEATH.

An Accompt presented by Capt Jos: Heath of the Charge of Iron Work & other work done at the Fort at Richmond Under his Command, Amounting to the Sum of £13. 9. 9.

Legislative Records of the Council, xii., 404.

[Read, Accepted and]

House Journal, p. 49.

Resolved that the Sum of Thirteen Pounds Nine Shillings & Nine pence be Allowed & paid out of the Publick Treasury to Capt Jos: Heath the Accomptant in full Discharge thereof. [*Passed June 19.*

CHAPTER 133.

VOTE ON THE SURVEY OF 900 ACRES OF LAND FOR W^M JENKS &c.

Pursuant to an Order of the Great & General Court or Assembly of the 18th of December last past, I the Subscriber have laid out to William Jenks Esqr & his Associates the Nine hundred Acres of Land granted them within this Province on the eleventh Day of Said December, W^ch Said Land lies in Six Peices & were Shewn unto me by the Grantees, The Said Tracts lay formerly (as was Supposed) within the Township of Providence in the Woods called Shackanock, now in the Township of Mendon, the Surveys & Plans thereof are hereunto Annexed, The work was performed on the thirtieth day of April last past, & first day of May following: There Assisted in the Said Surveys the Sundry Persons who claimed the Said Lands, Who brought with them from the Records of the Town of Providence Attested Copys of the former Surveys, also James Walling And Jonathan Sprague Junr who declared upon Oath that they were upon the Original Surveys, And the Sundry Tracts now Survey'd are laid in the Same Place as formerly as Near as may be, But the Measure being Large, the Said Tracts were reduced to a Just and true Measure, The Said Jonathan Sprague & William Chandler were appointed Chain Men, & I put them on Oath for the faithfull Discharge of their Trust.

Legislative Records of the Council, xii., 368, 404.

House Journal, p. 58.

Ante, p. 553, chap. 351.

Four of the Said Tracts happen to have no Improvement upon them; viz, John Arnolds, Hezekiah Comestocks, Capt Silvanus Scots, & Capt Daniel Abbots, There are Considerable Improvements within the Bounds of Daniel Comestocks Land, but no House, The Occupant of that Land brought no person to Set a Valuation on his Labour, Although Mr Comestock brought one on his part, viz, Capt Forster who was present for that Service, But the Parties Concerned inclined to agree among them selves:

On Mr Jenks's Tract there is a House built & Land under Improvement done by Mr Seth Aldrick whose Son lives on it, And Although Mr Jenks sent word for Mr Aldrick to Come & See the Survey & bring a Man to Assist in Valuing the Labour Yet we heard Nothing from him, & have as Yet made no Valuation. All which is Submitted by Your Most dutifull Servant,

John Chandler Survey^r

Boston June 2^d 1725

In Council; Read &

Ordered that the Report on the Other Side be Accepted, And that the Lands Mentioned therein be confirmed to William Jenks & his

Associates According to the Survey thereof made & Returned by John Chandler, Esqr

In the House of Represent^s Read & Concurd with an Amendment; viz, If it do not Interfere with any Grant of this Court to the Town of Mendon

In Council; Read & Concurd. [*Passed June 19.*

CHAPTER 134.

VOTE FOR REFERRING THE MINISTERS ADDRESS FOR CALLING A SYNOD.

Legislative Records of the Council, xii., 353, 404.

House Journal, pp. 33, 34.

AN ADDRESS of the Ministers in their General Convention from Several Parts of the Province at Boston the 27th Day of May 1725, in the words following; Viz CONSIDERING the great & Visible Decay of Piety in the Country, & the Growth of many Miscarriages, which we may fear have Provoked the Glorious Lord in a Series of various Judgements wonderfully to Distress us, Considering also the Laudable Example of our Predecessors to recover And Establish the Faith and order of the Gospel in the Churches, and Provide against what Immoralities might Threaten to impair them, in the Way of General Synods convened for that purpose, & Considering that about forty five Years have now Rolled away since these Churches have Seen any Such Conventions, It is humbly Desired that the Honoured General Court would Express their Concern for the great Intrests of Religion in the Country by calling the Several Churches in the Province to Meet by their Pastors & Messengers in a Synod, And from thence offer their Advice upon that Weighty Case, "What are the Miscarriages whereof we have Reason to think the Judgements of Heaven upon us call us to be more generally sensible, And what may be the Most Evangelical & Effectual Expedients to put a Stop to these or the like Miscarriages?"

This Proposal We humbly make in hopes, That if it be Prosecuted it may be followed with many Desireable Consequences worthy the Study of those whom God has made, & we are So Happy as to enjoy as the Nursing Fathers of our Churches

Sign'd COTTON MATHER in the Name of the Ministers Assembled in their General Convention.

Read & REFER'D to the Next Session for further Consideration. [*Passed June 19.*

CHAPTER 135.

ORDER ON PETITION OF THE NORTH PRECINCT IN PLYMOUTH IN REGARD TO SCHOOL MONEY.

Legislative Records of the Council, xii., 405.

House Journal, p. 55. Province Laws, ix., 524, chap. 5; 545, chap. 72; 553, chap. 89.

A PETITION of the North Precinct in Plymouth, Shewing that in the Year 1717, A Committee of this Court appointed to Consider the Circumstances of the Petitioners, & view their Scituation, Reported their Opinion, That it is best the Said Tract of Land Should be Erected into a Township, but the Court were Pleased to grant a Precinct only, And the Petitioners finding Many Inconveniences in their being Continued as a Part of the Town of Plymouth, Praying to be Erected into a Township; And Whereas the Town of Plymouth have lately Sold of their Common Lands to the Value of Six hundred & thirty pounds, W^ch Money is let out for the Maintenance of a School, Therefore Praying

that they may be Allowed their Proportionable part thereof for the Same Use.

Read & In Answer to this Petition

Ordered that the Consideration thereof be referred to the Second Fryday of the Next Fall Session, And that in the Mean Time the Petitioners Serve the four Towns within Referred to with a Copy thereof, That so they may give in their Reasons, Why the Prayer of the Petition Should not be granted. [*Passed June 19.*

CHAPTER 136.

RESOLVE ALLOWING £4 TO RICH^D HUNT.

A Petition of Richard Hunt Praying an Allowance for a Horse of his. being Impress d for Ensign Trescot, which was Wounded by the Indians & Detaind a Month upon his Cure, & is Still Much Damaged.

Legislative Records of the Council, xii., 405.

Read [accepted] &

House Journal, p. 60.

Resolved that the Sum of four pounds be Allowed & paid out of the Publick Treasury to the Accomptant Richard Hunt, in full for his Horses Journey & the Damage he hath Sustained. [*Passed June 21.*

CHAPTER 137.

RESOLVE ALLOWING £5. 2. 2 TO JN^O FOSDICK.

An Accompt Presented by John Fosdick Black Smith of Sundry Iron Work for the Govern^rs House Amounting to the Sum of £5. 2. 2.

Legislative Records of the Council, xii., 405.

[Read and]

House Journal, p. 53.

Resolved that the Sum of Five pounds two Shillings & two pence be Allowed & paid out of the publick Treasury to the Accomptant John Fosdick in full Discharge of the Said Accompt. [*Passed June 21.*

CHAPTER 138.

RESOLVE ALLOWING £12. 7 TO D^R THO^S HASTING.

An Accompt presented by Dr Thomas Hastings of Midicines Expended on the Garrison at Fort Dummer & the Soldiers Posted at Northfield & Deerfield Ballance whereof due to the Accomptant is £12. 7.

Legislative Records of the Council, xii., 406.

[Read and]

House Journal, p. 59.

Resolved that the Sum of Twelve Pounds Seven Shillings be Allowed & paid out of the Publick Treasury to Dr Thos Hastings in full Discharge of the Said Accompt. [*Passed June 21.*

CHAPTER 139.

RESOLVE ALLOWING 30/ TO GEORGE HUGHS.

A Memorial of George Hughs Attorney at Law Shewing that he was at Great Pains & Trouble in Drawing the Indictment Against John Checkley & Prosecuting him at the Court of Sessions & Court of Assize

Legislative Records of the Council, xii., 406.

House Journal, p. 50.

for the County of Suffolk for a Scandalous Libel entituled a Short & easey Method with the Deists, at Which Courts the Said Checkley was Convicted, And Praying Some Allowance from this Court for his Good Service to the Government in the Said Prosecution.

Read &

Resolved that the Sum of Thirty Shillings be Allowed & paid out of the Publick Treasury to Mr George Huges in Consideration of the Extraordinary Trouble he was at in Drawing over the Indictmt herein Mention'd twice. [*Passed June 21.*

CHAPTER 140.

RESOLVE ALLOWING 40/ TO COLL ELEAR TYNG.

Legislative Records of the Council, xii., 406.

House Journal, p. 61.

Infra, chap. 141.

AN ACCOMPT presented by Collo Eleazer Tyng of the Charge of Keeping three Mowhawks Squawks from Jany 12th 1724, to June 21st 1725, And Transporting Stores, Amounting in All to the Sum of £23. 11. 4.

[Read, Accepted and]

Resolved that the Sum of Forty Shillings be Allowed & paid out of the Publick Treasury to Collo Eleazer Tyng for Conveying Stores from Boston to Dunstable, And that the within Mentioned Indians Wages be made Payable to the Said Collo Tyng to Enable him to pay himself what is Reasonable for their Squawks Subsistence, It not being a Proper Charge for the Government, He to pay to the Said. Indians the Remainder of the Wages. [*Passed June 21.*

CHAPTER 141.

RESOLVE ALLOWING £9. 3 TO COLL ELEAR TYNG.

Legislative Records of the Council, xii., 407.

House Journal, p. 61.

Supra, chap. 140.

AN ACCOMPT presented by Collo Eleazer Tyng of the Hire of Horses & Expresses Sent in the Publick Service togather with Canooes made for his March, Amounting in the Whole to the Sum of £9. 3.

[Read Accepted and]

Resolved that the Sum of Nine pounds three Shillings be Allowed & paid out of the Publick Treasury to Coll Eleazer Tyng in full Discharge of the Within Accompt. [*Passed June 21.*

CHAPTER 142.

RESOLVE ALLOWING £15 TO SAML DICKENSON.

Legislative Records of the Council, xii., 406.

House Journal, p. 61.

A PETITION of Samuel Dickenson of Hatfield, Praying Some Allowance in Consideration of his Loss & Sufferings in his Captivity by the Indian Enemy while he was a Soldier at Northfield in the Year 1723, he being Carried to Canada by the Enemy & put to Charges for his Expences there, & for his Redemption out of their Hands.

Read [Accepted] &

Resolved that the Sum of Fifteen pounds be Allowed & paid out of the Publick Treasury to the Said Saml Dickenson in Consideration of his Leaving his Affairs in Canada to great Great[1] Disadvantage & Coming With Speed to New England to give an Account of Divers Parties of the Enemy coming on our frontiers. [*Passed June 21.*

CHAPTER 143.

RESOLVE ALLOWING £8. 5 TO PETER WALTON.

An Accompt presented by Edmund Mountforth of Work done in repairing of the Whale boats & Making Coffins for two Soldiers Kill'd in the Service, The Said Work being done by Peter Walton, Amounting to the Sum of £8. 5.

Legislative Records of the Council, xii., 407.

House Journal, p. 60.

[Read, Accepted and]

Resolved that the Sum of eight Pounds five Shillings be Allowed & paid out of the Publick Treasury to the Accomptant Peter Walton or his Order in full Discharge of the within Accompt. [*Passed June 21.*

CHAPTER 144.

RESOLVE ALLOWING £8 TO EPHRAIM BOSWORTH.

An Accompt presented by Ephraim Bosworth Agent for the Town of Hull of Seventy Boat Load of Ballast taken off from the great Brewster Island (Belonging to the Town of Hull) for Repairs of the Wharf at the Light House Island, Amounting to the Sum of £35.

Legislative Records of the Council, xii., 407.

House Journal, p. 61.

[Read, Accepted and]

Resolved that the Sum of Eight Pounds be Allowed & paid out of the Publick Treasury to the Accomptant Ephraim Bosworth in full Discharge of the within Accompt. [*Passed June 21.*

CHAPTER 145.

RESOLVE ALLOWING £8. 3. 3 TO NATHAN KNIGHT.

An Accompt presented by Nathan Knight of the ferryage of Divers Soldiers both Horse & foot at Several Times over the River at Scarborough, And Attendance on Sick Soldiers, Amounting to the Sum of £15. 6. 8.

Legislative Records of the Council, xii., 407.

House Journal, p. 60.

[Read, Accepted and]

Resolved that the Sum of eight Pounds three Shillings & 3d[1] be Allowed & paid out of the Publick Treasury to Nathan Knight in full Discharge of the within Accompt. [*Passed June 21.*

CHAPTER 146.

RESOLVE ALLOWING £6. 3. 6 TO CPT EBENER BILLING.

A Petition of Capt Ebenezer Billings of Sunderland, Praying an Allowance for his Care & Trouble in the Direction of a Scout for the Town, put under him in the Year 1723, for the Space of twenty four Weeks & five Days, & for Which as Yet he has received Nothing.

Legislative Records of the Council, xii., 407.

House Journal, p. 60.

Read [Accepted] &

[1] The House Journal reads, £8. 2. 3.

Resolved that the Sum of Six Pounds three Shillings & Six pence be Allowed & paid out of the Publick Treasury to Capt Ebenezr Billing in full for the Service mentioned in the within Memorial. [*Passed June 21.*

CHAPTER 147.

RESOLVE ALLOWING £40. 10 TO MR JONA PEIRPOINT.

Legislative Records of the Council, xii., 408.

House Journal, p. 59.

AN ACCOMPT presented by Mr Jonathan Peirpoint of wages due to him for his Service as Chaplain of the Forces Eastward from the 28th of Novemr 1724, to June 4th 1725, Amounting to the Sum of £40. 10.

[Read and]

Resolved that the Sum of Forty pounds ten Shillings be Allowed & paid out of the publick Treasury to Mr Jonathan Peirpoint in full Discharge of the Within Accompt. [*Passed June 21.*

CHAPTER 148.

RESOLVE ALLOWING £11. 10 TO SAML CHAMBERLAIN.

Legislative Records of the Council, xii., 408.

House Journal, p. 59.

A PETITION of Samuel Chamberlain of Dunstable, Praying an Allowance of the Sum of Eleven pounds ten Shillings for the Service of himself & Seventeen Others, who were by Coll Tyngs Order Sent out in Pursuit of the Enemy four Days in the Year 1724.

Read &

Resolved that the Sum of eleven Pounds ten Shillings be Allowed & paid out of the Publick Treasury to Mr Samuel Chamberlain to be by him paid to the Persons born on the Within List, in full for the Service within Mentioned. [*Passed June 21.*

CHAPTER 149.

RESOLVE ALLOWING PAYMENT ON CAPT PETER OLIVER'S MUSTER ROLL.

Legislative Records of the Council, xii., 408.

House Journal, pp. 59, 60.

A MUSTER ROLL of the Company in His Majesties Service Eastward under the Command of Capt Peter Oliver, Containing an Accompt of Wages due to the Said Company for their Said Service from Novr 30th 1724, to the 13th of June 1725, Amounting to the Sum of £567. 8.

[Read, Accepted and]

Resolved that the Sum of Five hundred & twenty eight Pounds fifteen Shillings & eight pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll to Whom the Same is Respectively due (Agreeable to the Committees Report) in full Discharge of the Wages thereof. [*Passed June 21.*

CHAPTER 150.

RESOLVE ON ACCTS OF THE COMMISSRS OF THE £100,000 LOAN FOR BARNSTABLE Co.

Accompts of the Commissioners for Letting out the £100,000 for the County of Barnstable, Begining the 13th of Febry 1720, 1 & Ending Febry 13th 1723, 4 By which it appears they had received for Intrest the Sum of £1,024. 7. 6 & have Paid into the Treasury £965. 6. 5 & Accompt for the Remainder as follows; viz, £37. 1. 1 their due by Law, £22 for Book Keeping, £22. 15 Outstanding Intrest Money & £99. 18. 2 in their Hands & not let out.

Legislative Records of the Council, xii., 408.

House Journal, p. 57. Province Laws, ii., 61, chap. 18. *Ante*, p. 623, chap. 123. *Infra*, chap. 151.

[Read, Accepted and]

Resolved that the Commissioners be & hereby are Discharged of these three Several Accompts in the Several Articles thereof, The Sum of Twenty two pounds fifteen Shillings, So Much Outstanding of Intrest Money (Exclusive of the Sum of One Thousand Twenty four pounds Seven Shillings & Six pence they received of Sundry Persons for Intrest of the Said Loan) the Said Commissioners are Still Accomptable for. [*Passed June 21.*

CHAPTER 151.

RESOLVE ON ACCOTS OF THE COMMISSRS OF THE £100,000 LOAN FOR THE COUNTY OF YORK.

Accompts of the Commissioners of the £100,000 Loan for the County of York, Begining the 13th of Febry 1720, 1 & ending Febry 13th 1724, 5 Whereby it appears that the Said Commissioners have received for Intrest the Sum of £102. 16. 7 & have paid into the Treasury £90. 10. 7 & Accompt for the Remainder as follows; viz £4. 6 their due by Law & £8 for Book Keeping, £33. 12. 6 Intrest Money being Outstanding & £466 of the Principal Money in their Hands not let out;

Legislative Records of the Council, xii., 409.

House Journal, pp. 57, 58. Province Laws, ii., 61, chap. 18. *Supra*, chap. 150. *Infra*, chap. 152.

[Read, Accepted and]

Resolved that the Commissioners the Accomptants be & hereby are Discharged of these four Several Accompts in the Several Articles thereof, Excepting the Sum of Thirty three pounds twelve Shillings & Six pence Outstanding Intrest Money, Which the Said Commissioners are Still Accomptable for, And the Sum of Four hundred & Sixty Six pounds of the Principal Money being in their Hands & not let out. [*Passed June 21.*

CHAPTER 152.

RESOLVE ON ACCTS OF THE COMMISSRS FOR THE £100,000 LOAN FOR THE Co OF BRISTOL.

Accompts of the Commissioners of the £100,000 Loan for the County of Bristol Begining Febry 13th 1719, 20, & Ending Feby 13th 1723, 4 By Which it appears that the Said Commissioners had received for Intrest the Sum of £1,727. 5. 4 & have paid into the Treasury £1,636. 8. 10 & Accompt for the remainder as follows Viz, £70. 5. 6 their Due by Law, & £20 for Book keeping £1. 5 of the Principal Money being in their Hands & not let out.

Legislative Records of the Council, xii., 409.

House Journal, p. 57. Province Laws, ii., 61, chap. 18. *Supra*, chap. 151. *Infra*, chap. 153.

[Read, Accepted and]

Resolved that the Commissioners the Accomptants be & hereby are Discharged from these four Accompts in the Several Articles thereof, The Sum of Twenty five Shillings of the Principal Money being in their Hands not let out. [*Passed June 21.*

CHAPTER 153.

RESOLVE ON ACC^OTS OF THE COMMISS^RS OF THE £100,000 LOAN FOR THE C^O OF PLYMOUTH.

Legislative Records of the Council, xii., 409.

House Journal, p. 57. Province Laws, ii., 61, chap. 18. *Supra*, chap. 152.

ACCOMPTS of the Commissioners of the £100,000 Loan for the County of Plymouth, Begining Feb^ry 13th 1720, 1, & Ending Feby 13th 1723, 4, By Which it appears that the Said Commissioners have received for Intrest the Sum of £945. 14. 8 Including what they have received for Charges of Law Suits, & have Paid into the Treasury £882. 0. 4^d And Accompt for the remainder as follows, Viz, £23. 12. 2 their due by Law £18. 15. 8 for Keeping of Books & paper, & £21. 6. 6 Charges of Law Suits, & £181. 15. 1 Intrest Outstanding, & £67 of the Principal being in their Hands not let out;

[Read, Accepted and]

Resolved that the Commiss^rs the Accomptants be & hereby are Discharged of these three Several Articles thereof, Excepting the Articles of One hundred & eighty one pounds fifteen Shillings & one peny Intrest Money outstanding, & ten Pounds Sixteen Shillings & Six pence Part of the Sum of £21. 6. 6 charged for Law Suits, Making in the Whole the Sum of One hundred Ninety two pounds eleven Shillings & Seven pence, W^ch they are Still to be Accomptable for. [*Passed June 21.*

CHAPTER 154.

RESOLVE ALLOWING £202. 7 TO COLL JOHN SCHUYLERS ACC^O.

Legislative Records of the Council, xii., 410.

House Journal, p. 50.

AN ACCOMPT presented by Coll^o John Schuyler of Sundry Disbursements at Albany for the Service of this Province & by Order of the Government, Amounting to the Sum of £202. 7 for Ballance.

[Read, Accepted and]

Resolved that the Sum of Two hundred & two pounds Seven Shillings be Allowed & paid out of the Publick Treasury to Coll^o John Schuyler or his Order in full Discharge of this Accompt, And further that the Sum of Twenty pounds be Allowed & paid out of the Publick Treasury to Coll^o John Schuyler or his Order in Consideration of his Extraordinary Trouble & Service in Entertaining the Commissioners Interpreters &c, According to the Information of the Commissioners, & of which Coll^o Schuyler has made no Charge. [*Passed June 21.*

CHAPTER 155.

RESOLVE ALLOWING £7 TO CAP^T THO^S WELLS.

Legislative Records of the Council, xii., 410.

A MEMORIAL of Capt Thomas Wells Shewing that he was at great Charge in Raising a Company of Voluntiers & Fitting out for his March the last Spring, & being Allowed no Great^r Wages than the Private Cen-

tinals in his Company, Therefore Praying that this Court Would Consider him as to his Extraordinary Charge & Trouble as Aforesaid. House Journal, p. 55.

Read [Accepted] &

Resolved that the Sum of Seven Pounds be Allowed & paid out of the Publick Treasury to Capt Thomas Wells in full Satisfaction of the Particulars Mentioned in the Memorial. [*Passed June 21.*

CHAPTER 156.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF COLL ELEAZR TYNGS COMPA.

A Muster Roll of the Company in His Majesties Service Westward under the Command of Collo Eleazer Tyng, Containing an Accompt of Wages due to the Said Company for their Service from Novr 12th 1724, to June 9th 1725, Amounting to the Sum of £952. 12. 5 Togather with the Sum of £497. 14 for Subsistence of the Said Company the Said Time: Legislative Records of the Council, xii., 410. House Journal, p. 60.

[Read, Accepted and]

Resolved that the Sum of Nine hundred twenty five pounds & three pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the within Roll to Whom the Same is Respectively Due, in full Discharge of the Wages thereof, (Agreeable to the Committees Report) And that the further Sum of Four hundred Ninety Seven pounds fourteen Shillings be Allowed & paid out of the Publick Treasury to Collo Eleazer Tyng to be by him repaid to the Persons that have Subsisted the Said Men born on this Roll, in full Discharge of the Subsistence thereof. [*Passed June 22.*

CHAPTER 157.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF LIEUT COLLO JOHNSON HARMANS COMPANY.

A Muster Roll of the Company in His Majesties Service under the Command of Lieut Coll. Johnson Harman, Containing an Accompt of Wages due to the Said Company for their Service Eastwd from Novr 25th 1724, to June 1st 1725, Amounting to the Sum of £602. 12. 1. Legislative Records of the Council, xii., 411. House Journal, p. 22. *Infra*, chap. 158.

[Read, Accepted and]

Resolved that the Sum of Five hundred and one pounds eight Shillings & five pence be Allowed & paid out of the Publick Treasury to the Officers & Soldiers born on the Within Roll to Whom the Same is Respectively Due (Agreeable to the Committees Report). [*Passed June 22.*

CHAPTER 158.

RESOLVE ALLOWING £23. 17. 6 TO COLLO JOHNSON HARMAN.

A Petition of Lieut Collo Johnson Harman, Shewing that Whereas the Wages for himself his Son & Servant in the Muster Roll now before the Court are Stop d, upon Some Complaints of Soldiers in his Com- Legislative Records of the Council, xii., 413.

House Journal, pp. 53, 54, 62. *Supra*, chap. 157.

pany, He has great Need of the Said Wages for the Support of himself & Family, And in as Much as his Wages in the Next Roll May be Stopd, If he Shall be found Guilty of the Matters laid to his Charge, therefore praying that he may be Allowed to receive the Whole or Part of his wages in the Said Roll.

Read &

Resolved that the Sum of Twenty three pounds Seventeen Shillings & Six pence being the one half of the Wages of Coll^o Johnson Harman for his Own Particular Service during the time he was born on the Muster Roll he Presented to this Court in the Present Sesion, be Allowed & paid out of the Publick Treasury to him in Answer to this Petition. [*Passed June 22.*

CHAPTER 159.

ORDER ON M^R DAN^L RUSSELLS MEM^O IN REGARD TO THE LIGHTHOUSE.

Legislative Records of the Council, xii., 411.

House Journal, pp. 61, 62.

A MEMORIAL of Mr Daniel Russell, Commissioner of Impost Shewing that the Keeper of the Light House has Applied to him for a New Suit of Sails for the Boat, the Old ones being Much Worn, as also to have the upper Part of the Light House new Painted, And Desiring the Direction of the Court on those Articles.

Read &

Ordered that Mr Danl Russell the Memorialist be & hereby is Directed to furnish the Boat with New Sails, And See that the Upper part of the Light House be New Painted as Set forth in the within Memorial. [*Passed June 22.*

CHAPTER 160.

ORDER ON CALEB SPURRIERS PETITION ASKING FOR A WRIT OF REVIEW.

Legislative Records of the Council, xii., 412.

Legislative Records of the Council, xi., 567. House Journal, pp. 47, 63.

A PETITION of Caleb Spurrier of London Merch^t Shewing that he was by an Act of this Court Made & passd at the Session held in August 1723 enabled to review an Action Originally brought by him against John Butler of George Town in the County of York at the Superiour Court of Judicature then Next to be holden for the Said County, That accordingly he brought forward his Writt of Review, & entered his Action at the Said Court, But the Said Butler Absconded, & to the Surprize of the Petitioner the Said Writt of review was not Served, So that he was Defeated of having his Tryall for the Recovery of his Just Debt being £63. 5 & is without Remedy in the Law, And therefore Praying that he may be Impowered to bring forward an Other Writt of review in the Said Cause at the Next Superiour Court for the Said County of York.

Read &

Ordered that the Petitioner Serve the Adverse Party with a Copy of this Petition, that So he may give Answer thereto if he See Cause on the first Tuesday of the Next fall Session. [*Passed June 22.*

CHAPTER 161.

ORDER ON JOHN KENT'S PETITION PRAYING FOR A REVIVAL OF AN ORDER OF THE LAST SESSION.

A Petition of John Kent of Suffield, Shewing that Whereas this Court did at their last Session (upon his Petition then Preferred) appoint a Committee to Value a Peice of Land of the quantity of One hundred Acres, Which he was Desirous to Purchase of the Province lying in Suffield, & to Make Report thereof to this Court at their Present Session, The Said Committee have as Yet done Nothing in that Affair. And therefore praying that the Said Order may be revived & the Said Committee Directed to Make their Report, at the Next Session of this Court.

Legislative Records of the Council, xii., 413.

House Journal, p. 63. *Ante*, p. 559, chap. 371.

Read &

Ordered that Capt John Ashley & Mr William Pynchon be Desired to Repair to the Lands Petitioned for view the Quality thereof, & Report to this Court at their Next Fall Session the Value of the Same in their Opinion, The Committee are also Directed to report the Quantity of the Lands. [*Passed June 22.*

CHAPTER 162.

RESOLVE ALLOWING 20/ 6 TO DR BULFINCH AND £5. 2 TO DR PEMBERTON.

An Accompt presented by Dr George Pemberton of Midicines And Attendance on Dr Edward Ellis & Dr John Negus. Two Surgeons of the Forces East^d being Sick in Boston, Amounting to the Sum of £5. 10 togather with Dr Thos Bulfinches Acc^o of Midicines and Attendance on the Said John Negus, Amounting to Twenty one Shillings & Six pence.

Legislative Records of the Council, xii., 413.

House Journal, p. 60.

[Read, Accepted and]

Resolved that the Sum of Six pounds two Shillings & Six pence be Allowed & paid out of the Publick Treasury in full Discharge of the two within Accompts; viz, Twenty Shillings & Six pence[1] to Dr Bulfinch & the Remainder to Dr Pemberton. [*Passed June 22.*

CHAPTER 163.

RESOLVE ALLOWING £10 TO SUSAN: EDSON.

A Petition of Susannah Edson of Bridgewater Widow, Shewing that in the Year 1719 Her Husband's House was Consumed by the Fire, & he was So extremly Burnt by Endeavouring to extinguish the Fire that he died Soon After, that She lost by the fire Ten twenty Shilling Bills of Credit on this Province, Praying that the like Sum may be Allowed her out of the Publick Treasury: Togather with a Certificate of Josiah Edson Esqr (one of His Majesties Justices of the Peace for the County of Plymouth) that the petitioner had made Solemn Oath before him of her Loss of the Bills as Above. And also a Certificate from Sundry Persons of the Said Town that the Petitioner is a Person of Credit & Reputation

Legislative Records of the Council, xii., 414.

House Journal, pp. 63, 64.

[1] The House Journal reads, 22/ 6.

Read &

Resolved that the Sum of Ten pounds be Allowed & paid out of the publick Treasury to the Petitioner Susannah Edson or her order, in Consideration of the like Sum in Bills of Credit on this Province consumed in the fire, As Particularly Set forth in the within Petition. [*Passed June 22.*

CHAPTER 164.

ORDER ON PETITION OF NEHEMIAH & RACH: CUSHING FOR SALE OF LAND.

Legislative Records of the Council, xii., 414.

House Journal, pp. 64, 65.

A PETITION of Nehemiah Cushing & Rachael Cushing Executors of the Last Will & Testament of David Cushing late of Hingham in the County of Suffolk Deceas^d^, Shewing that the Said David Cushing Died Seized of Sundry Out Lands & a good Dwelling House & Barn & about Sixty Acres of Land thereto adjoining, That the Said Testator by his last Will Ordered his Out lands to be Sold for the Payment of his Debts, That he left three Children all of them Infants, That the Out Lands are a growing Estate, that the Said House & Barn are falling to Decay, And that it will be much more for the Interest of the Children to have the Said House & Barn & Land adjoining Sold for the Payment of the Debts, than the Said Out Lands, And therefore praying that they may be Impowered to Sell the Said House & Barn & Lands adjoining instead of the Out Lands, The Overplus to be applied for the Use of the Children.

Read &

Ordered that the Prayer of this Petition be So far granted, That the Petitioners be & hereby are Impowered to Sell the House & Land or Homestead Mentioned in the Petition for the Most it will fetch And to give a good & Sufficient Deed in the Law for the Same; Notification of the Sale to be first given as is Provided in the Law Respecting Sales of Lands Ordered by the Justices of the Superiour Court, The Petitioners to be Accomptable for the Improvement of the Produce of the Said House & Land to the Judge of Probates for the County of Suffolk, Provided, And it is hereby further

Ordered Ordered[1] that the other Lands Mentioned in the Petition & Allowed to be Sold by the Will refer'd to, be reserved unsold until the Children Come of Age; Any Law, Usage, or Custom to the Contrary Notwith standing. [*Passed June 22.*

CHAPTER 165.

RESOLVE ALLOWING 28/ 10 TO JON^A^ HOW.

Legislative Records of the Council, xii., 415.

House Journal, p. 63.

AN ACCOMPT presented by Jonathan How of Marlborô, for Entertaining the Commissioners in their Return from Canada & Sundry English Captives that Came with them, Amounting to the Sum of £1. 8. 10.

[Read and]

Resolved that the Sum of Twenty eight Shillings & ten pence be Allowed & paid out of the Publick Treasury to Mr Caleb Rice to be by him paid to Mr Jonathan How the Accomptant in full Discharge thereof. [*Passed June 22.*

[1] *Sic.*

CHAPTER 166.

ORDER ON PETITION OF THE WESTERLY INHABITANTS OF WRENTHAM FOR A NEW PRECINCT.

A Petition of Divers Inhabitants of the Westerly Part of the Town of Wrentham, Praying that they may be Sett off a Distinct Precinct by a Straight Line to run from Charles River South Parallel with the line which Divides between Wrentham & Bellingham Six Miles & an half, And to be every Where four Miles from Wrentham West, & Six Miles & an half in Length North & South, Bounding Northerly on Charles River, & Westerly on Bellingham Line.

Legislative Records of the Council, xii., 415.

House Journal, pp. 62, 63.

Read &

Ordered that the further Consideration of this Petition be refer'd to the Second Tuesday of the Next fall Session of this Court & that in the Mean Time, the Petitioners Serve the Town of Wrentham with a Copy thereof, That they may then give in their Reasons If any they Have, Why the prayer thereof Should not be Granted. [*Passed June 22.*

CHAPTER 167.

VOTE FOR PROVIDING A HOUSE FOR THE PRESIDENT OF THE COLLEGE.

Voted that the Committee Appointed by this Court to enquire & Look out for a Suitable House in the Town of Cambridge for the Reception & Entertainment of the Rev^d the President of Harvard College & his family, be further Impowered to Hire Such a House for the Space of Six Months next Coming, or until they make Report to this Court in their Fall Session. [*Passed June 23.*

Legislative Records of the Council, xii., 416.

House Journal, p. 64.

Ante, p. 619, chap. 115.

CHAPTER 168.

ORDER APPOINTING A COMM^TTE OF BOTH HOUSES FOR BURNING TORN BILLS OF CREDIT.

In the House of Represent^s

Ordered that Mr Speaker, Mr Clark, Mr Lewis, Mr Remington, Mr Phillips, Mr Tay & Mr Thomas Cushing, with Such Such[1] as the Honb^le Board Shall appoint be a Committee in the Recess of the Court to take an Accompt of What torn & Defaced Bills are in the Treasury And unfit for further Service, of the Number of each Sort of the Said Bills, with the Whole Sum of them, & burn them to Ashes: And make Report of their doings herein to this Court at their Next Session.

Legislative Records of the Council, xii., 416.

House Journal, p. 42.

In Council; Read & Concurd, & Penn Townsend, Nathl Byfield, Thos Hutchinson, Adam Winthrop & Thos Palmer Esq^rs are added to the Committee of the House for the Affair Aforesaid. [*Passed June 23.*

[1] *Sic.*

CHAPTER 169.

RESOLVE ALLOWING £4. 19 TO PETER RUSSELL.

Legislative Records of the Council, xii., 417.

House Journal, p. 65. *Ante*, p. 608, chap. 87.

Resolved that the Sum of four Pounds Nineteen Shillings be Allowed & paid out of the Publick Treasury to Peter Russell a Soldier in the Service of this Province late under the Command of Lieut^t John Lane, for the like Sum due to the Said Peter Russel for Wages in the Service of this Province by the Muster Roll presented by the Said Lane the last Session, Which he received of Mr Treasurer Allen by a forged & Counterfeit Order of the Said Russel. [*Passed June 23.*

CHAPTER 170

RESOLVE ALLOWING £20 TO CP^T JN^O GYLE.

Legislative Records of the Council, xii., 417.

House Journal, p. 65. *Ante*, p. 475, chap. 126.

A MEMORIAL of Capt John Gyles, Shewing that the General Court at their Session in May 1724, did upon the Complaint of James Harper and James Stimson, Order Twenty Pounds due to the Memorialist According to his Muster Roll then given in to be Stop'd in the Treasury till Such Time as the Memorialist Should make it appear to the Court That he had paid to the Complainants what was Supposed to be due to them, But as the Petitioner has Exhibited to this Court Sufficient Proof, (as he conceives) That the Said Harper & Stimson were honestly & Bonâ Fide paid their full wages before they made their Complaint, Therefore Praying that this Court would Please to order Payment to be Made to him of the Said Sum of Twenty pounds out of the Publick Treasury which was stop'd in his Muster Roll as Aforesaid.

Read with the Papers being refer'd to [and]

Resolved that the Sum of Twenty pounds, So much Stop'd of Cp^t Gyles's Wages on his Muster Roll presented to this Court in their last May Session be Allowed & paid out of the Publick Treasury to the Said Capt John Gyles in full Discharge of the wages due to him on the Said Muster Roll. [*Passed June 23.*

CHAPTER 171.

RESOLVE ALLOWING 17/ TO LUKE SMITH.

Legislative Records of the Council, xii., 417.

House Journal, p. 64.

AN ACCOMPT of Luke Smith of Subsistence of Divers Soldiers belonging to this Province, & Likewise Connecticut Soldiers, Amounting to £1. 13.

[Read and]

Resolved that the Sum of Seventeen Shillings be Allowed & paid out of the Publick Treasury to Capt Thomas Wells to be by him paid to the Accomptant Luke Smith in full Discharge of this Accompt. [*Passed June 23.*

CHAPTER 172.

RESOLVE ON CAPT THOS SANDERS PROPOSAL OF GOING AGST THE INDIANS BY SEA.

A Proposal of Capt Thomas Saunders Master of the Sloop Merry Meeting, for the Allowing of Provisions besides the wages & Premiums established by the Government for the Encouragement of Voluntiers, to Thirty or forty Able bodied Sailors who were Ready to Enlist with him on board the Said Sloop in Order to proceed against the Eastern Indians who are Said to infest the Coast in Several Vessells (Taken from the Inhabitants of this Province) to the great Hazzard & Loss of the Fishery.

Legislative Records of the Council, xii., 417.

In the House of Represents Read, & the House being Willing & Desireous to Encourage any good Effective Men that are inclined to go in Pursuit of the Indian Enemy;

Resolved that over & Above the Allowance made to Voluntiers of four Shillings per Diem, there be Allowed to forty able Bodied effective Men that Shall proceed on a Cruise of one Month in Order to encounter And Repel the Enemy on board any Vessel in the Eastern parts, their Subsistence as is Allowed to other Soldiers in the Pay of the Governmt

In Council Read & Concurd.[1] [*Passed June 23.*

CHAPTER 173.

RESOLVE ALLOWING 20/ TO COLLO ELEAR FLAGG.

An Accompt presented by Collo Eleazer Flagg of Expresses Sent by him at Divers Times for the Publick Service, Amounting to the Sum of £1. 15 with 20/ for his Time & Expence in Visiting the frontiers by Order

Legislative Records of the Council, xii., 418.

House Journal, p. 66.

[Read, accepted and]

Resolved that that[2] the Sum of twenty Shillings be Allowed & paid out of the Publick Treasury to Collo Eleazer Flagg in full Discharge of the within Acco Agreeable to the Committees Report. [*Passed June 23.*

CHAPTER 174.

VOTE ON INSTRUCTIONS TO THE AGENTS IN ENGLAND.

John Clark Esqr from the Committee of both Houses reported the Draught of Instructions[3] to be Given by this Court to their Agents at the Court of great Britian: read and Accepted. [*Passed June 23.*

Legislative Records of the Council, xii., 418.

House Journal, p. 66.

[1] Not found in the House Journal.
[2] *Sic.*
[3] No copy has been found.

CHAPTER 175.

RESOLVE ALLOWING 22/ TO MR STEP: WILLIAMS.

Legislative Records of the Council, xii., 419.

House Journal, p. 66.

AN ACCOMPT of Mr Stephen Williams of Springfield for the Entertainm^t of Connecticut Soldiers in September Last, Amounting to £1. 2.

[Read and]

Resolved that the Sum of Twenty two Shillings be Allowed & paid out of the Publick Treasury to Mr William Pynchon to be by him paid to the Revd Mr Stephen Williams in full Discharge thereof. [*Passed June 23.*

CHAPTER 176.

RESOLVE ALLOWING 27/ TO EBER: GREAVES.

Legislative Records of the Council, xii., 419.

House Journal, p. 66.

AN ACCOMPT of Ebenezer Greaves for Entertaining Several English Prisoners in their Return from Canada, Amounting to the Sum of £7.

[Read and]

Resolved that the Sum of Twenty Seven Shillings be Allowed & paid out of the Publick Treasury to Mr William Pynchon to be by him paid to the Said Ebenezer Greaves in full Discharge of the Within Accompt. [*Passed June 23.*

CHAPTER 177.

RESOLVE ALLOWING AN ADVANCE OF £20 TO D^R THO^S HASTINGS FOR MIDICINES &c.

Legislative Records of the Council, xii., 419.

House Journal, p. 64.

Resolved that the Treasurer be & hereby is Impowered[2] & Directed[1] to pay & Advance to Dr Thos Hastings of Hatfield the Sum of Twenty pounds to enable him to Purchase Midicines & Other Necessarys for the Use of the Forces in His Majesties Service in the County of Hampshire, The Said Dr Hastings to be Accomptable for the Midicines &c, And for the expence of the Same. [*Passed June 23.*

CHAPTER 178.

RESOLVE ALLOWING £26. 7 TO CP^T RICH^D BOURN.

Legislative Records of the Council, xii., 419.

House Journal, pp. 65, 66.

AN ACCOMPT presented by Capt Richard Bourn of Expences in going after Indians that had Enlisted themselves in the Service & had Absconded togather with the Charge of Subsisting them in Coming to Boston by Order of His Honour the Lieut Govr Amounting to the Sum of £26. 7.

[Read, Accepted and]

Resolved that the Sum of Twenty Six pounds Seven Shillings be Allowed & paid out of the Publick Treasury to Capt Richard Bourn in full Discharge of the within Accompt, The Article of Four pounds Eleven Shillings to be Deducted by Mr Treasurer out of the Subsistence of the Men raised. [*Passed June 23.*

[1] *Sic.*

CHAPTER 179.

VOTE APPOINTING A COMMITTEE OF BOTH HOUSES TO SEND FORWARD THE ADDRESS & INSTRUCTIONS &c.

In the House of Represent[s]

Voted that M[r] Speaker, M[r] Secretary & M[r] Lewis with Such as the Honb[l] Board Shall appoint be a Committee to Prepare & transmit a fair Draught or Draughts of the Address to His Majesty & the Instructions agreed on to be given to the Agents by the first oppertunity after they are prepared, The Committee to Sit in the Recess of the Court

Legislative Records of the Council, xii., 419.

Legislative Records of the Council, xii., 411. House Journal, p. 67. *Ante*, p. 641, chap. 174.

In Council; Read & Concurd: And Addington Davenport Esq[r] is joined in the Affair Above. [*Passed June 23.*

CHAPTER 180.

ORDER ON JN[o] RINGS PETITION COMPLAINING OF A JUDGMENT.

A Petition of John Ring of Glocester in the County of Essex Miller Shewing that at the Superiour Court held at Salem for the s[d] County in October last, John Bennet then of Glocester now Deceas[d] brought his Writt of Review of an Action of the Case originally commenced by the Petitioner Against the Said Bennet for Holding for his Own Use the Privilege of a Stream in Glocester Aforesaid for Carrying a Grist Mill of Right Belonging to the Petitioner, At which Court the Said Bennet Obtained a Judgement against the Petitioner by very Indirect Practices & especially by Tampering with the Jury, And therefore Praying that he may have a Tryal De Novo of the Merits of the Said Cause at the Next Superiour Court to be held in October Next, at Salem in the County of Essex, or that he may be Otherwise releived as this Court Shall Direct,

Legislative Records of the Council, xii., 419.

House Journal, p. 67.

Read &

Ordered that the Petitioner Serve the Executors or Administrators of John Bennet Decs[d] with a Copy of this Petition, that So they may give Answer thereto, If they See Cause on the Second Thursday of of[1] the Next fall Session. [*Passed June 23.*

CHAPTER 181.

ORDER ON EDW[D] JACKSONS PETITION IN REGARD TO A JUDGMENT, FROM WHICH THERE WAS AN APPEAL FOLLOWED BY ARBITRATION AND AN AWARD NOT COMPLIED WITH.

A Petition of Edward Jackson of Newton in the County of Middle Essex Shewing that as Attorney to his Brother Jonathan Jackson in his Absence Abroad he Expended Divers Sums of Money for his Use, And at the Time when Joseph Jackson obtained Administration on the Said Jonathan Jacksons Estate there was a Ballance of £100. 2 Due to the Petitioner, for Recovery of Which he brought his Action at the Inferiour Court held at Charlestown for the Said County in March 1723, 4 where the Petitioner Recoverd judgem[t] for the Sum of £76 &

Legislative Records of the Council, xii., 420.

House Journal, p. 67.

[1] *Sic.*

Costs, from which judgement the Defend^t Appealed And recognized. but before the Reasons of Appeal were filed the Petitioner & the Administra^r being Bretheren Agreed to Submit the Matter to Arbitration. W^ch occasion'd the Administrator's not filing his Reasons & the Petitioners not lodging his Complaint against the Administrator for not Prosecuting, And the Award Afterwards delivered in by the Arbitrators not being complied with, the Petitioner is without Remedy in the Law, And therefore praying an Order of this Court to enable the Said Administrator to file his Reasons of Appeal at the Next Superiour Court or as Soon as may be, or upon Failure thereof the Petitioner may be enabled to file his Complaint for Confirmation of the Said Judgement,

Ordered that the Petitioner Serve the Adverse Party with a Copy of this Petition that so he may give in his Answer thereto; If he Sees Cause on the first Fryday of the Next Fall Session. [*Passed June 23.*

CHAPTER 182.

RESOLVE ALLOWING £350 TO THE L^T GOVERN^R.

Legislative Records of the Council, xii., 422.

House Journal, p. 68.

Resolved that the Sum of Three Hundred & fifty pounds be Allowed & paid out of the Publick Treasury to the Honb^le William Dummer Esqr Lieut^t Govern^r & Commander in Chief of this His Majesties Province for his Support to enable him to Manage the Affairs of the Govern^t. [*Passed June 24.*

CHAPTER 183.

RESOLVE ALLOWING £500 TO Y^E JUDGES.

Legislative Records of the Council, xii., 422.

House Journal, p. 68.

Resolved that the Sum of Five Hundred Pounds be Allowed & paid out of the Publick Treasury to the Honb^le the Judges of His Majesties Superiour Court of Judicature &c in Proportion to the Courts they have Attended the Year Past. [*Passed June 24.*

CHAPTER 184.

RESOLVE ALLOWING £250 TO THE TREAS^R.

Legislative Records of the Council, xii., 422.

House Journal, p. 68.

Resolved that the Sum of Two hundred & fifty Pounds be Allowed & paid out of the Publick Treasury to Jeremiah Allen Esqr Treasurer of this Province, for his Service the Year Past in the Treasury. [*Passed June 24.*

CHAPTER 185.

RESOLVE ALLOWING £20 TO Y^E SECRETARY.

Legislative Records of the Council, xii., 422.

Resolved that the Sum of Twenty Pounds be Allowed & paid out of the Publick Treasury to Josiah Willard Esqr Secretary of this Province in Consideration of the Publick Affairs at this Time Calling for

Sundry things to Pass that Office necessarily Requiring a More Strict Attendance from him to effect those Matters, Many of which have no Stated fee or Allowance. [*Passed June 24.* House Journal, p. 68.

CHAPTER 186.

RESOLVE ALLOWING £30 TO THE CLERK OF THE REPRESENTS.

Resolved that the Sum of Thirty pounds be allowed & paid out of the Publick Treasury to John Wainwright Esqr Clerk of the House, in Part for his Service the year Currant. [*Passed June 24.* Legislative Records of the Council, xii., 422. House Journal, p. 68.

CHAPTER 187.

RESOLVE ALLOWING £25 TO MR RICHD HUBBARD DOOR KEEPER.

Resolved that the Sum of Twenty five Pounds be Allowed & paid out of the Publick Treasury to Mr Richd Hubbard Door Keeper to His Honour the Lieut Governr & this Court for his Service half a Year which will determine the Nineteenth day of August next. [*Passed June 24.* Legislative Records of the Council, xii., 422. House Journal, p. 68.

CHAPTER 188.

RESOLVE ALLOWING £14. 8 TO REBECCA HOLMES.

An Accompt of Rebecca Holmes of Entertaining Several Committees of the House of Represents Amounting to the Sum of £14. 8. Legislative Records of the Council, xii., 422.

[Read and]

Resolved that the Sum of Fourteen Pounds eight Shillings be Allowed & paid out of the Publick Treasury to Rebecca Holmes in full Discharge of the Within Accompt. [*Passed June 24.* House Journal, p. 68.

CHAPTER 189.

RESOLVE ALLOWING £21. 11 TO COLLO TYNG.

Resolved that the Sum of Twenty one Pounds & eleven Shillings[1] be Allowed & paid out of the Publick Treasury to Coll Eleazer Tyng in full Discharge of his Keeping & Maintaining Several Several[2] of the Maquas Squawks, whose Husbands were in the Service of this Province as by Accot given to this Court as Enter'd the 17th Currant. [*Passed June 24.* Legislative Records of the Council, xii., 422. House Journal, p. 67. *Ante*, p. 630, chap. 140.

[1] The House Journal reads, £21. 11. 4.
[2] *Sic.*

CHAPTER 190.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF THE GARRISON AT FORT DUMMER TIM° DWIGHT COMMANDER.

Legislative Records of the Council, xii., 423.

House Journal, p. 68.

A MUSTER ROLL of the Garrison in his Majesties Service at fort Dummer, under the Command of Capt Timothy Dwight, Containing an Acco^ts of Wages due to the Said Garrison for their Service from Decr 1st 1724, to May 31st 1725, Amounting to the Sum of £450. 0. 10^d togather with the Sum of £205. 2. 2 for Subsisting the Said Men the Said Time [on which the following action was taken]

IN as much as it appears that this Roll is filled up with the Hand Writing of Capt Timothy Dwight but not Sign'd by him at the Foot thereof, & he living at too great Distance to appear before the Court in the Present Session, And many of the Members of the House Affirming upon their Own Knowledge that most of the Men enter'd on the Roll have duly Performed the Service

Resolved that Mr Treasurer be & hereby is Directed to pay unto Henry Dwight Esqr the Sum of four Hundred & fifty pounds & tenpence the Wages & two Hundred & five pounds two Shillings & two pence for Subsistance The whole Amounting to Six Hundred & fifty five pounds three Shillings Deducting what Mr Treasurer has Supplied or Advanced for Subsistance, The Said Henry Dwight to Pay the Same to the Officers & Soldiers & the Persons that have Subsisted the Men in full Discharge thereof,

Provided it appears to Coll° Stoddard & Capt Wells or either of them upon Examination of the Said Capt Timothy Dwight that there is any Error or Mistake, Then the Said Henry Dwight Shall be & hereby is ordered to return so Much Money into the Treasury. [*Passed June 24.*

CHAPTER 191.

RESOLVE ALLOWING £11. 5 TO CP^T TIM° DWIGHT.

Legislative Records of the Council, xii., 423.

House Journal, p. 68.

AN ACCOMPT presented by Capt Timothy Dwight of 150 Cord of Fire wood by him Provided for the use of the Garrison at Fort Dummer under his Command, Amounting to the Sum of £22. 10.

[Read and]

Resolved that the Sum of Eleven Pounds five Shillings be allowed & paid out of the Publick Treasury to Henry Dwight Esqr to be by him paid to Capt Tim° Dwight in full Discharge of the within Accompt. [*Passed June 24.*

CHAPTER 192.

RESOLVE ALLOWING £4. 3. 2 TO JOS: MAYLEM.

Legislative Records of the Council, xii., 424.

House Journal, p. 65.

AN ACCOMPT presented by Joseph Maylem of Keeping Horses for the Commissioners that went to Canada, Lodging & Diet for Some of their Attendants &c. Amounting to the Sum of £4. 3. 2.

[Read and]

Resolved that the Sum of four Pounds three Shillings & two pence be allowed & paid out of the publick Treasury to the Accomptant Jos: Maylem in full Discharge of the within Accompt. [*Passed June 24.*

CHAPTER 193.

RESOLVE ALLOWING £39. 6. 8 TO TIM^O CHILD.

A Memorial of Timothy Child, Shewing that Coll Stoddard had appointed him to Supply the garrison posted at Fort Dummer with Provisions engaging that he Should be Allowed for any Loss he Should Sustain by extraordinary & inevitable Accidents, That a boat in which he had put Stores for the Said Fort in her Passage up the River was overset by the Currant in Turning a Point of Land & the Said Stores inevitably Lost, which were to the Value of Thirty Nine Pounds Six Shillings & eight pence, praying an Allow^a for ye Same.

Legislative Records of the Council, xii., 424.

House Journal, p. 69.

Read [Accepted] &

Resolved that the Sum of Thirty Nine pounds Six Shillings & eight pence be allowed & paid out of the Publick Treasury to the Memorialist Timothy Child in full Discharge. of the Loss of the Stores mentioned in the within Memorial. [*Passed June 24.*

CHAPTER 194.

RESOLVE ALLOWING PAYMENT OF CP^T THO^S SANDERS MUSTER ROLL.

A Muster Roll of Capt Thos Saunders Commander of the Sloop Merry Meeting (a Transport in His Majesties Service Eastward) Containing an Accompt of Wages due to the Said Thomas Sanders & Company from Novem^r 28th 1724, to June 11th 1725, togather with the Hire of the Said Sloop the Said Time, Amounting to the Sum of £280.

Legislative Records of the Council, xii., 424.

House Journal, p. 44.

[Read Accepted and]

Resolved that the Sum of Two Hundred & eighty pounds be Allowed & paid out of the Publick Treasury to Mr Thomas Saunders in full Discharge of the Mens Wages and Hire of the Sloop. [*Passed June 24.*

CHAPTER 195.

ORDER ON MOSES RICE'S PETITION COMPLAINING OF A JUDGMENT.

A Petition of Moses Rice of Worcester Shewing that Benjamin Townsend of Worcester at an Inferiour Court of Common Pleas Held at Cambridge for the County of Middlesex in June 1724, brought an Action of the Case against him for a Certain agreement for Three pounds ten Shillings (then received) Not to prosecute a Complaint entered by the Petitioner against the Wife of the Said Townsend, And Judgement went against the Petitioner from which he appealed to the Next Superiour Court for the Said County, But the Said Townsend Returning home, Sent the Petitioner Word that his Attorney with whom he left it to recognize, failed of Recognizing, And their Time being Short, & he living remote, could not then file Reasons, So that Execution is taken out & he is without Remedy in the Law, Unless he can have relief from this Court And therefore Praying that he may have his Appeal revived at the Next Superiour Court at Cambridge, & Liberty to file his Reasons & Proceed to a Tryal Accordingly

Legislative Records of the Council, xii., 425.

House Journal, p. 43.

Read &

Ordered that the Prayer of the Petition be granted; And that the Petitioner file his Reasons of Appeal in the Clerks Office of the Inferiour Court of Common Pleas for the County of Middlesex, fourteen days at least before the Sitting of the Next Superiour Court in Said County, And giving the Adverse party timely Notice of his filing his Reasons of Appeal, Any Law, Usage or Custom to the Contrary Notwithstanding. [*Passed June 24.*

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE THIRD DAY OF NOVEMBER, A.D. 1725.

CHAPTER 196.

RESOLVE ALLOWING £3. 10 TO JONATH^N WRIGHT.

A PETITION of Jonathan Wright a Soldier under the Command of Coll. Eleazar Tyng in his March to Pigwacket in May last, Praying an Allowance for his Gun & Blanket (being of the Value of Three Pounds) lost in Winnepesocket Pond by the Oversetting of the Canooe. Read &

Legislative Records of the Council, xiii., 3.

House Journal, p. 4.

Resolved that the Sum of Three Pounds ten shillings be allowed & paid out of the publick Treasury to Coll. Eleazar Tyng to be by him paid to the Memorialist Jonathan Wright in full Consideration of the Loss sustained in the Service of the Province, Set forth in the Memorial. [*Passed November 4.*

CHAPTER 197.

RESOLVE FOR BURNING TORN & DEFACED BILLS, AND DISCHARGING TREASURER OF £10,268. 2. 11.

IN OBEDIENCE to the Order of the Great & General Court at their Session in May last appointing us the Subscribers a Committee to take an Accompt of Province Bills of Credit that are torn & defaced

Legislative Records of the Council, xiii., 4.

We have accordingly received of Mr Treas^r Allen the several Bills of the Denomination in the Accompt on the other Side, Amounting to the Sum of Ten Thousand two Hundred sixty eight Pounds two shillings & eleven pence. All of wch We have consumed to Ashes.

House Journal, p. 2. *Ante*, p. 639, chap. 168.

Whereof £1,722. 19. 11 Part of the afore said Sum was delivered us on Accompt of the £50,000 Loan neat Bills rec^d of the Trustees mentioned on the other Side, Also the remaining Sum of £8,545. 3 was delivered us on Accompt of the Interest rec^d of the Commissioners appointed by the General Court for Letting out the £100,000 Loan, Making in the Whole the Sum of Ten Thousand two Hundred sixty eight Pounds two shillings & eleven pence; As Witness our Hands this 19th Day of Octob^r 1725.

PENN TOWNSEND	EZEK. LEWIS
HEN. PHILLIPS	JON^A REMINGTON
JOHN FAY	N BYFIELD
THO. CUSHING.	T HUTCHINSON
W^M DUDLEY	THO. PALMER

Read & Accepted &

Resolved that Mr Treasr Allen be & hereby is discharged from the said Sum of Ten Thousand two Hundred & sixty eight Pounds two shillings and eleven pence accordingly. [*Passed November 4.*

CHAPTER 198.

RESOLVE ALLOWING £8. 7 TO CHA. CHURCH ESQR.

Legislative Records of the Council, xiii., 5.

House Journal, p. 4.

Ante, p. 457, chap. 68.

A PETITION of Charles Church Esqr Praying the Allowance of his Accompt of Travelling & sundry Expences arising by his Committing the Assessors of Dartmouth & Tiverton to His Majestys Goal at Bristol by Vertue of a Warrant from the Treasurer for their not Assessing the Taxes laid on the Inhabitants of the said Towns in the Years 1722, & 1723, They having obtained an Order from His Majesty for their Discharge, The said Accompt amounting to the Sum of £8. 7.

Read &

Resolved that the Sum of Eight Pounds & seven shillings be allowed & paid out of the publick Treasury to Charles Church Esqr in full Discharge thereof. [*Passed November 4.*

CHAPTER 199.

RESOLVE ALLOWING £5 TO WM JEFFRY.

Legislative Records of the Council, xiii., 5.

House Journal, pp. 4, 5.

A PETITION of William Pigg alias Will Jeffry an Indian wounded in His Majestys Service Eastward by the Indian Enemy, Praying an Allowance in Consideration of his being much disabled by his said Wounds to do any thing for the Support of him self & Family.

Read &

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to Cpt. Edmund Freeman, to be supplied the said William Jeffry alias Pigg for ye Support of him self & Family, as they may have Occasion & call for it, in Consideration of the Petitioners Wounds received as afore said. [*Passed November 5.*

CHAPTER 200.

RESOLVE DIRECTING THE TREASURER TO DELIVER A GUN TO ELIPH. WHARFIELD.

Legislative Records of the Council, xiii., 6.

House Journal, p. 5.

A PETITION of Eliphalet Wharfield Shewing that he being a Soldier in His Majestys Service Eastward in Cpt. Temples Company, & his Gun not being of a suitable Bore, the said Cpt. Temple took it from him, & lent him one of the Province Arms, & upon his Quitting the Service the said Province Gun was taken from him & his own not return'd, Praying an Allowance in Consideration thereof.

Read & In Answer to this Petition,

Resolved that the Treasurer be directed to deliver the Petitioner the Gun mention'd in the Petition if to be found or in Lieu thereof a Province Gun of or near the Value of Forty shillings. [*Passed November 5.*

CHAPTER 201.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF SLOOP SEAFLOWER SIMON SLOCUM MASTER.

A MUSTER ROLL of the Sloop Sea flower Simon Slocum Master a Transport in His Majestys Service Eastward, Containing an Accompt of Wages due to the said Master & Company for their Service together with the Hire of the said Sloop from Novem^r 20. 1724, to Septem^r 2. 1725, Amounting to the Sum of £228. 18. 4.

Legislative Records of the Council, xiii., 6. Mass. Archives, xci., 147.

Read and Accepted and

Resolved That the sum of Two hundred and twenty Eight pounds, Eighteen shillings & Four pence be allowed and paid out of the publick Treasury to the said Simon slocum in full discharge of the Wages & Hire of the said Sloop. [*Passed November 5.*

Mass. Archives, xci., 146. House Journal, p. 5.

CHAPTER 202.

RESOLVE ALLOWING THE TREAS^RS ACC^T.

AN ACCOMPT presented by Mr Treas^r Allen of Disbursements for Provisions, Cloathing & other Necessarys for the Forces Eastward and Westward together with divers incidental Charges for His Majestys Service, Amounting to the Sum of £7,326. 11. 5.

Legislative Records of the Council, xiii., 6.

[Read, Accepted and]

Resolved that Mr Treasurer be & hereby is discharged of the said Sum of Seven Thousand three Hundred & twenty six Pounds eleven shillings & five pence accordingly. [*Passed November 6.*

House Journal, p. 6.

CHAPTER 203.

RESOLVE ALLOWING 43/ TO JOHN GRIFFIN.

AN ACCOMPT of John Griffin for Ferrying Soldiers in His Majestys Service, Amounting to the Sum of £2. 3.

Legislative Records of the Council, xiii., 7.

[Read and]

Resolved that the Sum of Forty three shillings be allowed & paid out of the publick Treasury to Mr John Saunders to be by him paid to the said John Griffin in full Discharge of the said Accompt. [*Passed November 6.*

House Journal, p. 5.

CHAPTER 204.

RESOLVE ALLOWING £5. 5 TO COLL. ELEA. TYNG.

AN ACCOMPT presented by Coll. Eleazar Tyng of the Charge of Keeping Christian (the Maquas) Squaw & young Christians Squaw from June 9th 1725, to Nov. 5. 1725, Amounting to the Sum of £10. 10.

Legislative Records of the Council, xiii., 7.

[Read and]

House Journal, p. 5.

Resolved that the Sum of Five Pounds five shillings be allowed & paid out of the publick Treasury to Coll Eleazar Tyng being for Keeping old Christians Squaw & is in full Discharge of this Accompt. [*Passed November 8.*

CHAPTER 205.

RESOLVE ALLOWING £10 TO MR MATT. SHORT.

Legislative Records of the Council, xiii., 7.

House Journal, p. 8.

A PETITION of Mr Matthew Short, Shewing that he officiated for divers Years as Chaplain to the Garrison at Fort Mary at Winter Harbour, for all wch Service he has been fully satisfied, Excepting for one Quarter of a Year, wch ended Octob. 1. 1722, (As by a Certificate herewith prefer'd doth appear) Praying an Allowance for the said Service.

Read &

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to the Revd Mr Matthew Short in full Discharge of his Services as Chaplain to His Majestys Garrison at Fort Mary, As within mentioned. [*Passed November 9.*

CHAPTER 206.

RESOLVE ALLOWING £20. 15 TO POMROY ALLEN CLESSON & HANNUM.

Legislative Records of the Council, xiii., 8.

House Journal, p. 8.

A PETITION of Ebenezer Pomroy, Samuel Allen, Joseph Clesson & Samuel Hannum in Behalf of them selves or their Relations in ye Service of this Province as Voluntiers under the Command of Cpt. Thomas Wells, Shewing that in Passing Connecticut River they overset their Canooe, some being drown'd & their Cloaths Guns & Blankets lost in the River, Praying an Allowance out of the publick Treasury for their Losses.

Read &

Resolved that in Consideration of the Losses sustained by the Petitioners & their Relations in the Service of the Province, as set forth in the Petition, the following Sums be allowed & paid out of the publick Treasury, to Coll. John Stoddard to be by him paid to the Persons following; viz, To Cpt. Ebenezer Pomroy, Four Pounds ten shillings, To Lieut. Joseph Clesson Eight Pounds five shillings. To Samuel Allen, Four Pounds, & to Samuel Hannum Four Pounds, Making in the Whole Twenty Pounds fifteen shillings in full Discharge thereof. [*Passed November 9.*

CHAPTER 207.

RESOLVE ALLOWING £20 TO ZECH^A TRESCOT.

Legislative Records of the Council, xiii., 9.

House Journal, pp. 8, 9.

A PETITION of Zechariah Trescot, Shewing that being in the Service of this Province, & being sent Express with the Orders of the Lieut. Govern^r he was Way laid by the Indians & grievously wounded by them, so that he is alwaies like to be disabled by his Wounds from

Labouring for his Livelihood, And therefore Praying for some Allowance out of the publick Treasury.

Read [accepted] &

Resolved that the Sum of Twenty Pounds be allowed & paid out of the publick Treasury to Zechariah Trescot, Agreable to the Committees Report. [*Passed November 10.*

CHAPTER 208.

RESOLVE ALLOWING £5 TO NATH^LL ALEXANDER.

A PETITION of Nathaniel Alexander of Northampton Shewing that he has spent a great Part of his Life in the Service of this Province ag^st the Indian Enemy, that, being now advanced in years, his principal Dependence was on the Labour of his Son Thomas Alexander, who enlisted a Voluntier under Cpt. Thomas Wells, & in his March was drowned by the Oversetting of a Canooe, & his Arms Cloaths &c, were lost, Praying some Allowance out of the publick Treasury.

Legislative Records of the Council, xiii., 9.

House Journal, p. 9.

Read &

Resolved that the Sum of Five Pounds be allowed & paid out of the publick Treasury to the Petitioner Nathaniel Alexander in Full. [*Passed November 10.*

CHAPTER 209.

RESOLVE ALLOWING PAYMENT OF CPT. JOHN GYLES'S MUSTER ROLL.

A MUSTER ROLL of the Garrison in His Majesties Service at Fort George at Brunswick under the Command of Cpt. John Gyles, Containing an Accompt of Wages due to them for their Service from June 10. 1725, to Novr 3. 1725, Amounting to the Sum of £148. 5. 9.

Legislative Records of the Council, xiii., 9. Mass. Archives, xci., 186.

Read and Accepted and

Mass. Archives, xci., 185. House Journal, p. 10.

Resolved That the Sum of One Hundred Forty Eight Pounds five shillings and Nine pence be allowed and paid out of the Publick Treasury to the Officers and Soldiers born on the within Roll to whom the Same is respectively due in full discharge of the Wages thereof. [*Passed November 11.*

CHAPTER 210.

RESOLVE ALLOWING PAYMENT ON CPT. JOS. HEATHS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Joseph Heath, Containing an Accompt of Wages due to them for their Service from June 16. 1725, to Nov. 9. 1725, Amounting to the Sum of £511. 5. 7.

Legislative Records of the Council, xiii., 10. Mass. Archives, xci., 189.

Read and Accepted and

Mass. Archives, xci., 187, 188. House Journal, p. 10.

Resolved That the Sum of Five hundred and Nine pounds, three shillings and seven pence be allowed and paid out of the Publick Treasury to the Officers and soldiers born on the within Roll to whom the same is respectively due in full discharge of the Wages thereof agreable to the above Report. [*Passed November 11.*

CHAPTER 211.

RESOLVE ALLOWING PAYMENT OF CPT. NATHAN BRIGHAMS MUST^R ROLL.

Legislative Records of the Council, xiii., 10. Mass. Archives, xci., 159.

Mass. Archives, xci., 157, 158. House Journal, p. 10.

A MUSTER ROLL of the Troop of Horse in His Majestys Service on the Western Frontiers under the Command of Cpt. Nathan Brigham Containing an Acc^t of Wages due to them for their Service from Sept. 18. 1725, to Oct. 9. 1725, together with the Hire of their Horses, & Subsistence of them selves & Horses; Amounting to the Sum of £181. 2. 1.

Read and Accepted and

Resolved That the Sum of One Hundred Eighty One pounds two shillings, and Eleven pence be allowed and paid out of the publick Treasury to the said Capt Nathan Brigham the other Officers and Troopers born on the within Roll in full Discharge thereof. [*Passed November 11.*

CHAPTER 212.

RESOLVE ALLOWING £3 TO DR DAVIS & DR BULFINCH.

Legislative Records of the Council, xiii., 10.

House Journal, p. 10.

AN ACCOMPT of Dr William Davis & Dr Thomas Bulfinch of a Journey to Billerica, & Medicines & Attendance on Cpt. Seth Wyman by Order of the Lieut. Govern^r & Council.

[Read and]

Resolved that the Sum of Three Pounds be allowed & paid out of the publick Treasury to ye Accomptants William Davis & Thomas Bulfinch in full Discharge thereof. [*Passed November 11.*

CHAPTER 213.

RESOLVE ALLOWING £8. 9 TO DAN^LL ASHLEY.

Legislative Records of the Council, xiii., 10.

House Journal, p. 11.

AN ACCOMPT, presented by Daniel Ashley of Time & Expence in a Journey on the publick Service from Westfield to Albany thence to Boston & back again &c, Amounting to the Sum of £8. 9.

[Read and]

Resolved that the Sum of Eight Pounds nine shillings be allowed & paid out of the publick Treasury to Mr Ezekiel Lewis for ye Use of the Accomptant in full Discharge thereof. [*Passed November 11.*

CHAPTER 214.

RESOLVE ALLOWING £25 TO ELEA DAVIS.

Legislative Records of the Council, xiii., 10.

Mass. Archives, lxxii., 239. House Journal, p. 11.

A PETITION of Eleazar Davis Shewing that in the late Fight at Pigwacket he received a Wound, & by an other Wound lost his Thumb of his Right Hand, That he has been for a long Time under the Surgeons Hands the Bullet still remaining in his Body, & he being unable to labour for his Support, And therefore Praying for Relief from the Court.

Read [Accepted] &

Resolved that the Sum of Twenty five Pounds be allowed & paid out of the publick Treasury to Eleazar Davis the Petitioner in Consideration of his past Sufferings, Pain Loss of Time & of his Expence occasion'd by his Wound. [*Passed November 11.*

CHAPTER 215.

RESOLVE ALLOWING PAYMENT OF CPT. ISAAC CLARKS MUSTER ROLL.

A MUSTER ROLL of the Troop of Horse in His Majestys Service, Westward, under the Command of Cpt. Isaac Clark Containing an Accompt of Wages due to them for their Service from Aug. 27th to Sept. 18. 1725, together with the Hire of their Horses & Subsistence of themselves & Horses the said Time, Amounting in the Whole to the Sum of £150. 2. 9.

Legislative Records of the Council, xiii., 13. Mass. Archives, xci., 151.

Mass. Archives, xci., 150. House Journal, p. 13.

Read and Accepted and

Resolved That the Sum of One Hundred and Fifty Pounds, two shillings and Nine pence be allowed and paid out of the publick Treasury to Capt Isaac Clark to be by him paid to the respective Officers and Troopers born on this Roll, and those that Subsisted them in full discharge thereof, And that the further Sum of Three pounds Sixteen shillings be allowed and paid out of the publick Treasury to thesaid Capt Isaac Clark to be by him paid to discharge the Accompts of Ebenezer Robie and Isaac Bellows within mentioned. [*Passed November 12.*

CHAPTER 216.

RESOLVE ALLOWING PAYMENT OF ENS. MOSES HAZENS MUSTER ROLL.

A MUSTER ROLL of the Scout in His Majestys Service in the Town of Haverhill under the Command of Ensign Moses Hazzen, Containing an Accompt of Wages due to them for their Service from Sept. 6. to Octobr 31. 1725, together with their Subsistence the sd Time, Amounting to the Sum of £57. 9. 3.

Legislative Records of the Council, xiii., 13. Mass. Archives, xci., 168.

Mass. Archives, xci., 167. House Journal, p. 13.

Read and Accepted and

Resolved That the Sum of Fifty Seven pounds, nine shillings, and three pence be allowed and paid out of the publick Treasury to the said Moses Hazzen to be by him paid to the Soldiers born on the within Roll and those that subsisted them in full discharge thereof accordingly. [*Passed November 12.*

CHAPTER 217.

RESOLVE ALLOWING £3. 10 TO ZECHA TRESCOT.

A MEMORIAL of Zechariah Trescot Praying to be reimbursed the Sum of Forty shillings, by him expended in his Journey, when he was wounded by the Indian Enemy, And that he may be allowed Twenty shillings more, which is demanded of him by the Master of the Schooner, which carried him from Cape Porpoise to Casco Bay after he was wounded & that he may be freed from any Charge with

Legislative Records of the Council, xiii., 13.

House Journal, p. 13. *Ante*, p. 629, chap. 136.

respect to a Horse of Richard Hunt, which he rode on, which likewise was wounded at that Time.

Read [Accepted] &

Resolved that the Sum of Three Pounds & ten shillings be allowed & paid out of the publick Treasury to the said Zechariah Trescot in Full, Mr Hunt the Owner of ye Horse being paid by this Court in their last Session for the Hire of the Horse & Damage he sustained in full. [*Passed November 12.*

CHAPTER 218.

RESOLVE ALLOWING £10. 6 TO JOS. MARION.

Legislative Records of the Council, xiii., 13.

House Journal, p. 13.

AN ACCOMPT presented by Joseph Marion of Writing done for the Publick to this Time, Amounting to the Sum of £10. 6. 6.

[Read and]

Resolved that the Sum of Ten Pounds six shillings[1] be allowed & paid out of the publick Treasury to the Accomptant Joseph Marion in full Discharge thereof. [*Passed November 12.*

CHAPTER 219.

RESOLVE ALLOWING £17. 19 TO SHER. WINSLOW.

Legislative Records of the Council, xiii., 14.

House Journal, p. 13.

AN ACCOMPT presented by Edward Winslow Esqr Sheriff of the County of Suffolk of Expresses sent in the publick Service, Charges in Clothing Indian Prisoners, & in Sending after several Indian Prisoners that made their Escape, &c, Amounting to the Sum of £17. 19.

[Read, Accepted and]

Resolved that the Sum of Seventeen Pounds nineteen shillings be allowed & paid out of the publick Treasury to Edward Winslow Esqr in full Discharge of ye within Acct. [*Passed November 12.*

CHAPTER 220.

RESOLVE ALLOWING £21. 17 TO NOAH JOHNSON AND £30. 2 TO JOSIAH JOHNSON.

Legislative Records of the Council, xiii., 14.

House Journal, p. 13.

A PETITION of Noah & Josiah Johnson, Shewing that they were so disabled by their Wounds received from the Indian Enemy at Pigwacket, that they fear they shall not be capable to get their Living by their Labour; Praying some Relief from this Court, & that the Accompt of Charges occasion'd by their Wounds as hereunto annexed may be allowed & paid to them out of the publick Treasury.

Read [accepted] & IN Answer to this Petition,

Resolved that the Sum of Twenty one Pounds seventeen shillings be allowed & paid out of the publick Treasury to Noah Johnson, And that the further Sum of Thirty Pounds two shillings be allowed & paid out of the publick Treasury to Josiah Johnson in full Discharge of their Losses & Sufferings as set forth in ye Petition. [*Passed November 12.*

[1] The House Journal reads, £10. 6. 6.

CHAPTER 221.

RESOLVE ALLOWING £44. 16 TO DR JOHN KITTERIDGE.

A PETITION of John Kitteridge of Billerica Surgeon Praying an Allowance for Dressing the Wounds, Administring Physick, & other Services for Noah Johnson, Samuel Whiting & Solomon Keys (four[1] Soldiers wounded in the Fight at Pickwacket) according to the Accompt herewith presented Amounting to the Sum of £44. 16.

Legislative Records of the Council, xiii., 15.

Read [Accepted] &

Resolved that the Sum of Forty four Pounds sixteen shillings be allowed & paid out of ye publick Treasury to the sd John Kitteridge in full Discharge of the above Accompt. [*Passed November 13.*

House Journal, p. 14.

CHAPTER 222.

RESOLVE ALLOWING PAYMENT ON CPT. SAMLL WILLARDS MUSTER ROLL.

A MUSTER ROLL of the Company of Voluntiers in His Majties Service under the Command of Cpt. Samuel Willard, Containing an Accompt of Wages due to them for their Service from the 24th of August to the 6th of Novemr 1725, Amounting to the Sum of £879. 6. 10.

Legislative Records of the Council, xiii., 16. Mass. Archives, xci., 177.

Read and Accepted and

Resolved That the Sum of Eight Hundred pounds, Eighteen shillings and ten pence be allowed and paid out of the publick Treasury to Capt Samuel Willard to be by him paid to the officers and Soldiers born on this Roll to whom the Same is respectively due in full discharge thereof. [*Passed November 15.*

Mass. Archives, xci., 175, 176. House Journal, p. 15.

CHAPTER 223.

RESOLVE ALLOWING £3. 12 TO EDWD PELL.

AN ACCOMPT of Edward Pell Painter, for Painting the Governrs House & the Fence there, Amounting to the Sum of £3. 12.

Legislative Records of the Council, xiii., 17.

[Read and]

Resolved that the Sum of Three Pounds twelve shillings be allowed & paid out of the publick Treasury to the Accomptant Edward Pell in full Discharge of the within Accompt. [*Passed November 15.*

House Journal, p. 15.

CHAPTER 224.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF HATFIELD SCOUT.

A MUSTER ROLL of the Scout in His Majestys Service at Hatfield under the Direction of Coll. Samuel Patridge, Containing an Accompt of Wages due to them for their Service together with their Subsistence from June 22. to Octob. 25. 1725. Amounting to the Sum of £135.

Legislative Records of the Council, xiii., 17. Mass. Archives, xci., 161.

Read [Accepted] and

[1] *Sic.*

Mass. Archives, xci., 160. House Journal, p. 15.

Resolved That the sum of One Hundred Thirty Five pounds be allowed and paid out of the publick Treasury to Henry Dwight Esqr to be by him paid to the respective Soldiers within mentioned, and those that subsisted them in full discharge thereof. [*Passed November 15.*

CHAPTER 225.

RESOLVE ALLOWING £3 TO JOS. BENNET.

Legislative Records of the Council, xiii., 17.

House Journal, p. 17.

AN ACCOMPT of Joseph Bennet for Riding Express from Boston to Portsmouth in His Majestys Service, Amounting to the Sum of £3.

[Read and]

Resolved that the Sum of Three Pounds be allowed & paid out of the publick Treasury to the Accomptant Joseph Bennet in full Discharge thereof. [*Passed November 15.*

CHAPTER 226.

RESOLVE ALLOWING £11. 4. 3 FOR SUBSISTING CONNECTICUT SOLD^RS AT HATFIELD.

Legislative Records of the Council, xiii., 17.

House Journal, p. 15.

AN ACCOMPT presented by Coll. Samuel Patridge of the Charge of Subsisting Connecticut Soldiers in the Town of Hatfield in October last Amounting to the Sum of £11. 4. 3.

[Read, Accepted and]

Resolved that the Sum of Eleven Pounds four shillings & three pence be allowed & paid out of the publick Treasury to Cpt. Henry Dwight to be by him paid to the several Persons that subsisted the Soldiers &c, in full Discharge thereof. [*Passed November 15.*

CHAPTER 227.

RESOLVE ALLOWING £5. 6. 6 TO COLL. PATRIDGE.

Legislative Records of the Council, xiii., 17.

House Journal, p. 15.

AN ACCOMPT presented by Coll. Samuel Patridge of Expresses sent in His Majestys Service to divers Places, to the 25th Day of October 1725, Amounting to the Sum of £5. 6. 6.

[Read, Accepted and]

Resolved that the Sum of Five Pounds six shillings & six pence be allowed & paid out of the publick Treasury to Cpt. Henry Dwight to be by him paid to the Persons to whom the same is respectively due in full Discharge thereof. [*Passed November 15.*

CHAPTER 228.

RESOLVE ALLOWING £2. 2 TO IS^A GRAVES.

Legislative Records of the Council, xiii., 17.

AN ACCOMPT presented by Coll. Samuel Patridge of a Post sent in the Service, & of Isaac Greaves's Wages forgotten in a former Accompt, Amounting to the Sum of £2. 2.

[Read, Accepted and]
Resolved that the Sum of Forty two shillings be allowed & paid out of the publick Treasury to Cpt. Henry Dwight to be by him paid to whom it is due in full Discharge thereof. [*Passed November 15.*

House Journal, p. 15.

CHAPTER 229.

RESOLVE ALLOWING £7. 8. 11 TO PETER ROE.

AN ACCOMPT presented by Peter Roe of Suffield of the Charge of Victualling Connecticut Soldiers ye last Year, Amounting to £7. 8. 11.
[Read and]
Resolved that the Sum of Seven Pounds eight shillings & eleven pence be allowed & paid out of the publick Treasury to Mr John Kent to be by him paid to the said Peter Roe in full Discharge of the said Accompt. [*Passed November 16.*

Legislative Records of the Council, xiii., 18.

House Journal, p. 17.

CHAPTER 230.

RESOLVE ALLOWING £14. 14 TO SAMUEL WHITING AND £20. 12 TO SOLOMON KEYS.

A PETITION of Samuel Whiting & Solomon Keys, Praying the Allowance of ye Accompt of Charges occasion'd by their Wounds received at ye Fight at Pigwacket, as also some Consideration for their being Disabled from Labouring for their Livelihood by reason of their Wounds
Read [Accepted] &
Resolved that the Sum [of][1] Fourteen Pounds fourteen shillings be allowed & paid out of the publick Treasury to Samuel Whiting, And that the further Sum of Twenty Pounds twelve shillings be allowed & paid out of the publick Treasury to Solomon Keys in full Discharge of their Losses &c, as set forth in their Petition, & Accompt hereto annexed. [*Passed November 16.*

Legislative Records of the Council, xiii., 18.

House Journal, p. 16.

CHAPTER 231.

ORDER IMPOWERING MARY FLACK TO EXECUTE A DEED FOR SALE OF LAND.

A PETITION of Mary Flack Guardian to Mary Heddebal an Orphan who is entitled to a sixth Part of a House Lot in Boston being about thirty feet in breadth & sixty feet in depth, Fronting Westerly on Middle Street, Northerly on Gallops Alley, Easterly & Southerly on ye Land of John Clark Esqr That the said Slip of Land is uncapable of any Improvem^t for the Benefit of ye said Orphan, And therefore Praying to be impowered to sell the s^d Interest for the Support of the said Orphan.
Read &
Ordered that the Prayer of this Petition be granted, & that the Petitioner be accordingly Impowered to execute a good & sufficient Deed

Legislative Records of the Council, xiii., 18.

House Journal, p. 21.

[1] Inserted from the State Library copy of Legislative Records of the Council, xiii., 16.

in the Law for Sale of the Land mention'd in ye Petition, The Money produced by the said Sale to be put into ye Hands of Mr Thomas Cushing to be by him improved for the Benefit of ye Orphan. [*Passed November 16.*

CHAPTER 232.

RESOLVE ALLOWING PAYMENT ON CPT. JOS. BLANCHARDS MUST^R ROLL.

Legislative Records of the Council, xiii., 19. Mass. Archives, xci., 172.

Mass. Archives, xci., 169–171. House Journal, p. 15.

A MUSTER ROLL of the Company of Voluntiers in His Majestys Service under the Command of Cpt. Joseph Blanchard, Containing an Accompt of Wages due to them for their Service from Aug. 22. 1725, to Octob^r 28. following, Amounting to the Sum of £928.

Read and Accepted and

Resolved That the sum of Eight Hundred Sixty Five pounds, twelve shillings be allowed and paid out of the publick Treasury to Capt Joseph Blanchard to be by him paid to the Officers & soldiers born on this Roll in full discharge thereof accordingly. [*Passed November 16.*

CHAPTER 233.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF A SCOUT IN HAMPSHIRE.

Legislative Records of the Council, xiii., 19. Mass. Archives, xci., 153.

Mass. Archives, xci., 152. House Journal, pp. 12, 15.

A MUSTER ROLL of the Scout for the Frontiers of the County of Hampshire in His Majestys Service under the Direction of Coll. Samuel Patridge, Containing an Accompt of Wages due to them for their Service together with their Subsistence from Sept. 4. to Sept. 21. 1725, Amounting to ye Sum of £53. 10.

Read and Accepted and

Resolved That the sum of Fifty Three Pounds ten shillings be allowed and paid out of the publick Treasury to Capt Henry Dwight to be by him paid to the Soldiers born on this Roll & the persons that subsisted them in full discharge thereof. [*Passed November 16.*

CHAPTER 234.

RESOLVE ALLOWING PAYMENT OF MUSTER ROLL OF SLOOP GEORGE CPT. DAV. FRANKLIN.

Legislative Records of the Council, xiii., 20. Mass. Archives, xci., 200.

Mass. Archives, xci., 199. House Journal, p. 20.

A MUSTER ROLL of the Sloop George a Transport in His Majesties Service under the Command of Cpt. David Franklyn, Containing an Acc^t of Wages due to the said Master & Company, together with the Hire of the Sloop from May 30th to Nov. 13th 1725, Amounting to ye Sum of £198.

Read and Accepted and

Resolved That the Sum of One Hundred and Ninety Eight Pounds be allowed & paid out of the Publick Treasury to Capt David Francklyn in full discharge of the Wages and Hire of the said sloop accordingly. [*Passed November 17.*

CHAPTER 235.

RESOLVE ALLOWING PAYMENT ON CPT. SAM^LL JORDAN'S MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Samuel Jordan, Containing an Accompt of Wages due to them for their Service from the 18th of June 1725, to the 11th of November following, Amounting to the Sum of £387. 6. 3.

Legislative Records of the Council, xiii., 20. Mass. Archives, xci., 198.

Read and Accepted and

Resolved That the sum of Three Hundred Eighty One pounds 6/ 3d be allowed and paid out of the publick Treasury to the Officers and Soldiers born on the within Roll to whom the same is respectively due in full discharge of the Wages thereof agreable to the above Report. [*Passed November 17.*

Mass. Archives, xci., 197. House Journal, p. 20.

CHAPTER 236.

RESOLVE ALLOWING PAYMENT ON CPT. JOSIAH WILLARDS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Westward, under the Command of Capt. Josiah Willard Containing an Accompt of Wages due to them for their Service from the 3d of June 1725, to the 10th of Novemr following, together with their Subsistence the said Time, Amounting in ye Whole to the Sum of £1,147. 3. 10½.

Legislative Records of the Council, xiii., 20. Mass. Archives, xci., 191, 192.

Read and Accepted and

Resolved That the Sum of One thousand One Hundred and thirty Six pounds three shillings and Eleven pence be allowed and paid out of the publick Treasury to Capt Josiah Willard to be by him paid to the Officers and Soldiers born on the within Roll, and the persons that have subsisted them in full discharge thereof agreable to the above Report. [*Passed November 17.*

Mass. Archives, xci., 190, 192. House Journal, p. 22.

CHAPTER 237.

RESOLVE ALLOWING PAYMENT OF CPT. JOS. GOULDS MUSTER ROLL.

A MUSTER ROLL of the Troop of Horse in His Majestys Service Eastward under the Command of Cpt. Joseph Gould, Containing an Accompt of Wages due to them for their Service together with their Subsistence & the Hire & Forrage of their Horses from June 22d to July 20th 1725, Amounting to the Sum of £270. 19. 8 with an Acct of Ferriage Amounting to 48/.

Legislative Records of the Council, xiii., 20.

House Journal, p. 20.

[Read Accepted and]

Resolved that the Sum of Two Hundred & seventy Pounds nineteen shillings & eight pence be allowed & paid out of the publick Treasury to Cpt. Joseph Gould to be by him paid to the respective Persons to whom the same is due for Wages & Subsistence, And that the further Sum of Forty eight shillings be paid to him for Ferriage over Bloody Point Ferry & back again for the said Troopers & their Horses in full Discharge of the said Roll & Accompt. [*Passed November 17.*

CHAPTER 238.

RESOLVE ON REPORT ABOUT SORTING PUBLICK PAPERS IN Y^E COURT HOUSE.

Legislative Records of the Council, xiii., 22.

House Journal, p. 20.

Ante, p. 344, chap. 165.

PURSUANT to the Order on the other Side, We have attended the Service therein mentioned & carefully examined & sorted the Papers refer'd to, Having as far as we are able, placed them in their respective Years & other proper Classes, by wch they may be easily found; We are humbly of Opinion that the Rolls of the Acts in Parchment & under the Province Seal & all the Plats of Lands granted by the General Assembly either to Towns or particular Persons ought to be lodged in a safer Place where they may be easily removed in Case of Fire; The Time of our Attendance on this Service is here added.

ADD. DAVENPORT, In the Name of the Comm^tee

In the House of Represent^ves Read & Accepted &

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Addington Davenport Esqr to be by him paid to the Gentlemen to whom it is due in full for their Service above mention'd;

And further that Mr Lewis Mr Tay & Mr Lindal with such as the Honble Board shall appoint be a Committee to look out for some more suitable & safe Place (for Removal in Case of Fire) for the Rolls of the Acts in Parchment under the Province Seal & the Plats of Lands granted by the General Assembly to be lodged in, & make Report thereon.

In Council; Read & Concur'd, And Mr Davenport & Mr Oliver are joined in the Affair. [*Passed November 17.*

CHAPTER 239.

RESOLVE ALLOWING £3 TO JOS. KNELAND.

Legislative Records of the Council, xiii., 22.

House Journal, p. 21.

AN ACCOMPT presented by Joseph Kneeland of Repairs by him made in the Province House, Amounting to the Sum of £3.

[Read and]

Resolved that the Sum of Three Pounds be allowed & paid out of ye publick Treasury to Joseph Kneeland the Accomptant in full Discharge thereof. [*Passed November 17.*

CHAPTER 240.

RESOLVE ALLOWING £30. 4. 6 TO D^R GEO. PEMBERTON.

Legislative Records of the Council, xiii., 23.

House Journal, p. 19.

AN ACCOMPT presented by Dr George Pemberton of Medicines & Attendance on the Garrison at His Majestys Castle William from May 22. 1725, to Oct. 16. 1725, Amounting to the Sum of £30. 4. 6.

[Read Accepted and]

Resolved that the Sum of Thirty Pounds four shillings & six pence be allowed & paid out of the publick Treasury to the Accomptant Dr George Pemberton in full Discharge thereof. [*Passed November 17.*

CHAPTER 241.

RESOLVE ALLOWING £39. 4 TO DR WM DOUGLAS AND ASSOCIATES.

A PETITION of Dr William Douglas, Shewing that he & his Associates purchased a Tract of Province Land near Mendon, & have paid the Purchase Consideration to the Committee of the General Court, That they bought the said Land for Eleven Hundred Acres, but upon a Survey ordered by the General Court It appears to fall short of that Quantity One Hundred & ninety six Acres, As by the Plat & Certificate of the Surveyour therewith exhibited; And therefore Praying they may be reimbursed their Money, or that the deficient Land may be made up to them out of the Province Land.

Legislative Records of the Council, xiii., 23.

House Journal, pp. 20, 21. *Ante*, p. 551, chap. 343.

Read &

Resolved that the Sum of Thirty nine Pounds four shillings be allowed & paid out of the publick Treasury to Dr William Douglass & his Associates in Lieu & in full Satisfaction of One Hundred & ninety six Acres of Land, so much as appears has fallen short of the Quantity sold him by the Committee, That the Treasurer be directed to see the Receipt of the said Money endorsed on the Original Deed, That so the Repayment of the Money may appear, And that the further Sum of Seven Pounds two shillings be allowed & paid out of the publick Treasury to Dr William Douglas for the Charge of the Survey, to be by him paid to whom the same is respectively due in full Discharge thereof. [*Passed November 17.*

CHAPTER 242.

RESOLVE ALLOWING £12. 11 TO DR BENJA SWAIN.

AN ACCOMPT presented by Dr Benjamin Swain of Medicines & Attendance on Timothy Richardson, a Soldier wounded by the Indian Enemy at Pigwacket, Amounting to the Sum of £12. 11.

Legislative Records of the Council, xiii., 23.

[Read Accepted and]

House Journal, p. 21.

Resolved that the Sum of Twelve Pounds eleven shillings be allowed & paid out of the publick Treasury to Mr Thomas Bancroft, to be by him paid to Dr Benjamin Swain in full Discharge of the said Accompt. [*Passed November 17.*

CHAPTER 243.

RESOLVE ALLOWING £36. 4 TO SHER. WINSLOW.

AN ACCOMPT presented by Edward Winslow Esqr Sheriff of the Charge of Sending into the several Countys, Proclamations Treasurers Warrants &c & Sending Expresses &c, Amounting to the Sum of £36. 4.

Legislative Records of the Council, xiii., 23.

House Journal, p. 21.

[Read, Accepted and]

Resolved that the Sum of Thirty six Pounds four shillings be allowed & paid out of the publick Treasury to Edward Winslow Esqr in full Discharge thereof. [*Passed November 17.*

CHAPTER 244.

RESOLVE ALLOWING £5. 12 TO ZECH^A SYMMES.

Legislative Records of the Council, xiii., 23.

House Journal, p. 19.

AN ACCOMPT of Zechariah Symmes for Riding Express divers Times by Order of the Governm^t Amounting to the Sum of £8. 2. 6.

[Read, Accepted and]

Resolved that the Sum of Five Pounds twelve shillings be allowed & paid out of the publick Treasury to Zechariah Symmes in full Discharge of the said Accompt. [*Passed November 17.*

CHAPTER 245.

ORDER IMPOWERING THE JUDGE OF PROBATE OF SUFFOLK TO APPOINT GUARDIANS OF AN INSANE HEIR AND OF A MINOR HEIR.

Legislative Records of the Council, xiii., 24.

House Journal, p. 23.

A PETITION of Mary Norton & Abigail Gillam Administ^rs of ye Estate of their late Father Arthur Mason Dec^d In behalf of them selves & others ye Heirs of ye s^d Dec^d Shewing that they are desireous of Settling the said Deceaseds Estate in Boston by an Agreement among them selves, but so it is that one of the Coheirs has been for many Years & now is bereaved of her Understanding & another of them a Minor, & so uncapable of Acting, Praying that the Judge of Probates for the County of Suffolk may be impowered to appoint Guardians for the two Heirs aforesaid, And that they may be enabled to join with the Petitioners in Making a Settlement and Division of the said Estate among the Heirs according to Law.

Read &

Ordered that the Prayer of the Petition be granted. [*Passed November 17.*

CHAPTER 246.

RESOLVE ALLOWING £17. 18. 6 TO HUMP. SCAMMON.

Legislative Records of the Council, xiii., 24.

House Journal, p. 21.

AN ACCOMPT presented by Humphrey Scammon of Ferrying Soldiers in His Majestys Service over Saco River, from the Year 1721. to Octob^r 9. 1725, Amounting to the Sum of £17. 18. 9.

[Read and]

Resolved that the Sum of Seventeen Pounds eighteen shillings & six pence be allowed & paid out of the publick Treasury to the Accomptant Humphrey Scammon in full Discharge thereof. [*Passed November 17.*

CHAPTER 247.

RESOLVE ON W^M BAKERS PETITION PRAYING FOR LIBERTY TO FILE REASONS OF APPEAL.

Legislative Records of the Council, xiii., 24.

A PETITION of William Baker of Ipswich Shewing that he appealed from the Judgement of John Appleton Esqr (one of His Majestys Justices of the Peace for the County of Essex) obtained against him on a

Complaint of Ann Emerson of Ipswich made in March last, to the then next Court of General Sessions of the Peace for the said County to be held at Salem, but in Taking the Recognizance for Prosecuting the said Appeal, the said Court was called the Quarter Sessions instead of the Court of General Sessions of the Peace, And for that Mistake (as the Petitioner supposes) the said Court were pleased to confirm the said Judgement of Mr Justice Appleton, for his not Prosecuting his Appeal according to Law, so that he is without Remedy, Praying that he may be Impowered to file his Reasons of Appeal & have a Tryal of the said Cause at the next Court of General Sessions of the Peace to be Held at Salem in December next or otherwise relieved. House Journal, pp. 22, 25.

In the House of Representves Read & In Answer to this Petition,

Resolved that the Prayer thereof be so far granted as that the Petitioner be allowed to file his Reasons of Appeal according to Law from the Judgement or Sentence of Mr Justice Appleton to the next Court of General Sessions of the Peace to be Held at Salem in & for the County of Essex in December next, & to give timely Notice thereof to the Adverse Party, And the said Court of General Sessions of the Peace is hereby directed & impowered to Hear & Try the said Cause & to enter up Judgemt & award Execution accordingly, And that Execution for Costs taxed by the Court of General Sessions of the Peace (if not already extended) be suspended in the mean Time, Any Law Usage or Custom to ye Contrary Notwithstanding.

In Council; Read & Concur'd, PROVIDED the Prosecutor or Complainant may at the Tryal to be had before the Court of General Sessions of the Peace have the Benefit of the Witnesses that were upon the Tryal before Mr Justice Appleton. In the House of Representves Read & Concur'd. [*Passed November 18.*

CHAPTER 248.

RESOLVE ALLOWING PAYMENT OF SERGT JOS. CLESSONS MUSTER ROLL.

A MUSTER ROLL of the Scout in His Majestys Service in ye County of Hampshire under the Command of Sergt Joseph Clesson Containing an Accompt of Wages due to them for their Service from June 23d [1] to Oct. 25. 1725, with their Subsistence, Amounting to the Sum of £135. 18. 4. Legislative Records of the Council, xiii., 25. Mass. Archives, xci., 163.

Read and Accepted and

Resolved That the sum of One hundred and Thirty Five Pounds, Eighteen shillings and four pence be allowed and paid out of the publick Treasury to Colo John Stoddard to be by him paid to the persons to whom the same is respectively due in full discharge of the Wages and Subsistence thereof. [*Passed November 18.* Mass. Archives, xci., 162. House Journal, p. 20.

CHAPTER 249.

RESOLVE ALLOWING PAYMENT ON COLL. ELEA. TYNGS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Westward under the Command of Coll. Eleazar Tyng, Containing an Accompt of Wages due to them for their Service from June 24. 1725, to Novr 3. Legislative Records of the Council, xiii., 25. Mass. Archives, xci., 196.

[1] This date is according to the muster roll itself. The Secretary's record gives the date as July 23.

Mass. Archives, xci., 193–195. House Journal, p. 22.

1725, together with their Subsistence the said Time, Amounting to the Sum of £1,127. 0. 6.

Read and Accepted and

Resolved That the sum of One thousand One Hundred and Twenty two Pounds, twelve shillings, and Six pence be allowed and paid out of the publick Treasury to Col^o Eleazer Tyng to be by him paid to the Officers and Soldiers born on the within Roll and the persons that have Subsisted them in full discharge thereof agreable to the above Report. [*Passed November 18.*

CHAPTER 250.

RESOLVE ALLOWING PAYMENT ON CPT. RICH^D BOURNS MUSTER ROLL.

Legislative Records of the Council, xiii., 25. Mass. Archives, xci., 141.

Mass. Archives, xci., 139, 140. House Journal, p. 22.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Richard Bourn, Containing an Accompt of Wages due to them for their Service from the 12th of May 1725, to the 20th of July 1725, Amounting to the Sum of £235. 15. 7.

Read and

Resolved That the sum of Two Hundred and Thirty pounds, Nine shillings and Eleven pence be allowed and paid out of the publick Treasury to Mr John Paine and Ezra Bourn Esq^rs to be by them paid to the Officers and soldiers born on the within Roll in full discharge thereof; and the said Gentlemen are hereby desired and directed to pay none of the Wages due to any of the Indians, but such Indians to whom the same is respectively due by said Roll who are carried out as Servants, unless the said Gentlemen shall be fully satisfied in their Opinion, that the said Indians are really and truly the Servants of the persons, to whom they are carried out as such Any Law. Usage or Custom to the Contrary Not withstanding. [*Passed November 18.*

CHAPTER 251.

ORDER ON COMPLAINT OF GRIEVANCES BY NANTUCKET INDIANS.

Legislative Records of the Council, xiii., 26.

House Journal, pp. 26, 27. *Ante*, p. 611, chap. 94.

A PETITION of Joseph Meader in Behalf of divers Indians of Nantucket, Shewing that whereas this Court at their last Session appointed a Committee to repair to Nantucket to inquire into the Grievances complained of by the said Indians, the said Committee by Reason of Sickness & other Obstructions were prevented from Attending that Affair, And therefore Praying that such other Order may be taken for Redress. of the said Grievances as to this Court may seem most proper.

Read &

Ordered that John Otis Meletiah Bourn, Daniel Parker & Joseph Lothrop Esq^rs (or any three of them) be a Committee to repair to Nantucket in the Recess of the Court, & make Inquiry into the Matters complained of by the Indians of Nantucket, & make Report to this Court at the next May Session What may be proper to be done in Answer to the Petition of the said Indians, The Charge to be born as this Court shall Order. [*Passed November 19.*

CHAPTER 252.

RESOLVE ALLOWING £10. 2 TO DAVID THOMAS.

A PETITION of Ephraim Ayres James Smith, Nath[ll] Chapman & David Thomas, Shewing that Lieut. John Lane took up their Wages at the Treasury & converted the same to his own Use, & they have not been able to get any Part thereof out of his Hands, And therefore Praying that Payment of their said Wages may be Ordered out of the publick Treasury.

Legislative Records of the Council, xiii., 27.

House Journal, p. 25. *Ante*, p. 608, chap. 87.

Read [Accepted] &

Resolved that the Sum of Ten Pounds two shillings be allowed & paid out of the publick Treasury to David Thomas in Answer to the s[d] Petition, Agreable to the Committees Report. [*Passed November 19.*

CHAPTER 253.

VOTE GRANTING 100 ACRES OF LAND TO M[R] JN[O] KENT.

UPON READING a Petition of M[r] John Kent of Suffield, Praying as Enter'd the 18th [1] of Decem[r] & 22[d] of June last for Leave to purchase a Tract of Land of about One Hundred Acres on the South Side of Stony Brook so called in Suffield, near where Northampton & Springfield Ways to Windsor meet, reserved to the Government in the Grant of the Town of Suffield & the Report of the Committee appointed the 22[d] of June last to repair to the said Land, view the Quality thereof, & report their Opinion of the Value of the same, As Entered yesterday & Accepted;

Legislative Records of the Council, xiii., 28.

House Journal, pp. 23, 26. *Ante*, p. 559, chap. 371; p. 637, chap. 161.

Voted & Granted to the said John Kent his Heirs & Assigns for Ever in Consideration of the Sum of Seventy five Pounds in Bills of Credit, paid to the Treasurer or Receiver General of this Province for y[e] Use of the Province One Hundred Acres of Land lying & being on the South Side of Stony Brook (so called) in the Town of Suffield, near where Northampton & Springfield Ways to Windsor meet, A Plat thereof to be taken by a Surveyour & Chain Men upon Oath, to be returned to this Court at their Session in May next for further Confirmation, The Charge of the said Survey & Plat to be paid by the said John Kent. [*Passed November 19.*

CHAPTER 254.

ORDER DISCHARGING CAPT. JOSEPH HEATH FROM LIABILITY FOR LOSS OF A GUN.

A PETITION of William Cockrain a Soldier in His Majestys Service, Praying that he may not be charged with one of the Province Arms which he casually lost by Falling through the Ice in Kenebeck River, being upon his Duty by Order of Cpt. Heath his Commander.

Legislative Records of the Council, xiii., 28.

House Journal, p. 27.

Read &

Ordered that M[r] Treasurer Allen be directed to discharge Cpt. Joseph Heath from paying anything for the said Gun, It being casually lost in the Service of the Province. [*Passed November 20.*

[1] A mistake for 19th.

CHAPTER 255.

RESOLVE ALLOWING £61 TO RICH^D CUTT.

Legislative Records of the Council, xiii., 29.

House Journal, p. 23.

A PETITION of Richard Cutt of Kittery, Praying an Allowance for his great Charge Pain & Loss of Time occasion'd by Wounds he received in the Year 1724, in the Service by Sea against the Indian Enemy.

Read [accepted] &

Resolved that the Sum of Sixty one Pounds be allowed & paid out of the publick Treasury to Richard Cutt the Petitioner, Agreable to the Committees Report. [*Passed November 20.*

CHAPTER 256.

RESOLVE ALLOWING £26. 5 TO GREEN & KNEELAND.

Legislative Records of the Council, xiii., 29.

House Journal, p. 28.

AN ACCOMPT presented by Bartholemew Green & Samuel Kneeland of Paper & Printing the Votes of the House of Represent^ves at the Session in May last, Amounting to the Sum of £26. 5.

[Read and]

Resolved that the Sum of Twenty six Pounds five shillings be allowed & paid out of ye publick Treasury to Bartholemew Green & Samuel Kneeland in full Discharge thereof. [*Passed November 20.*

CHAPTER 257.

ORDER ON PETITION OF SAMUEL BARNABAS, INDIAN, PRAYING RELIEF FROM A DEBT.

Legislative Records of the Council, xiii., 29.

House Journal, p. 29.

A PETITION of Samuel Barnabas Indian, Shewing that he contracted a Debt with James Lovel of Barnstable, & that for the Discharge thereof he bound him self & his Wife to the said Lovel for two Years, & that he has suffered much Injury & Wrong from the said Lovel, Praying that this Court would find some Relief for him under his Difficultys.

Read &

Ordered that James Lovel be served with a Copy of this Petition, And that he be directed to attend this Court (with his Accounts & other Papers that concern the Affair mentioned in the Petition) on Tuesday the seventh of Decem^r next, And that John Russel Esqr (one of the Sheriffs of the County of Barnstable) be directed to send a Copy of the Mittimus herein refer'd to, & likewise a Declaration of the Keeper of the Goal (taken upon Oath before one of His Majestys Justices of the Peace) respecting the Affair. [*Passed November 22.*

CHAPTER 258.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF WESTFIELD SCOUT.

A MUSTER ROLL of the Scout or Guard in His Majestys Service in the Town of Westfield, Containing an Accompt of Wages due to them for their Service from May 13th to Octobr 25. 1725, together with their Subsistence, Amounting to the Sum of £144. 12. 7 And five other Accompts presented by Cpt. John Ashley of Expresses, Subsisting Connecticut Soldiers Keeping Indians, Guarding &c, Amounting to the Sum of £26. 9. 1.

Legislative Records of the Council, xiii., 30. Mass. Archives, xci., 166.

Mass. Archives, xci., 164, 165. House Journal, p. 28.

Read and Accepted and

Resolved That the Sum of One Hundred Seventy One pounds, One shilling & Eight pence be Allowed and paid out of the publick Treasury to John Ashley Esqr to be by him paid to the persons to whom the same is respectively due on the foregoing Accompts in full discharge thereof. [*Passed November 22.*

CHAPTER 259.

RESOLVE ALLOWING PAYMENT OF CPT. RICHD KEMBALS MUSTER ROLL.

A MUSTER ROLL of the Troop of Horse in His Majestys Service Eastward under the Command of Cpt. Richard Kemball, Containing an Accompt of Wages due to them for their Service from June 24th to July 23d 1725, together with their Subsistence, & the Hire & Subsistence of their Horses, Amounting to the Sum of £213. 6. 3.

Legislative Records of the Council, xiii., 30. Mass. Archives, xci., 143.

Mass. Archives, xci., 142. House Journal, p. 25.

Read and Accepted and

Resolved That the Sum of Two Hundred and Thirteen pounds, Six shillings and three pence be allowed and paid out of the publick Treasury to Lievt Timothy Johnson to be by him paid to the respective Officers & Soldiers born on this Roll to whom the Same is respectively due first deducting what has been supplyed them out of the publick Stores in full discharge thereof. [*Passed November 22.*

CHAPTER 260.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF HADLEY SCOUT.

A MUSTER ROLL of the Scout or Guard in His Majestys Service in the Town of Hadley, Containing an Acct of Wages due to them for their Service from June 22d to October 25. 1725, Together with their Subsistence, Amounting to the Sum of £81. 10.

Legislative Records of the Council, xiii., 30.

House Journal, p. 28.

[Read, Accepted and]

Resolved that the Sum of Fifty four Pounds be allowed & paid out of the publick Treasury to Mr Westwood Cook to be by him paid to Hezekiah Smith, Preserved Smith & Samuel Smith respectively in Full for their Wages & Subsistence. [*Passed November 22.*

CHAPTER 261.

RESOLVE ALLOWING £10. 8 TO COLL. JOHN STODDARD.

Legislative Records of the Council, xiii., 30.

House Journal, p. 26.

AN ACCOMPT presented by Coll. John Stoddard of Expresses sent in the publick Service, and of the Charge of Subsisting Connecticut Soldiers Amounting to the Sum of £10. 8.

[Read and]

Resolved that the Sum of Ten Pounds eight shillings be allowed & paid out of the publick Treasury to Coll. John Stoddard, to be by him paid to the Persons to whom the same is respectively due in full Discharge of the within Accompt. [*Passed November 22.*

CHAPTER 262.

RESOLVE ALLOWING PAYMENT ON CPT. SAM^LL WHEELWRIGHTS MUSTER ROLL.

Legislative Records of the Council, xiii., 31. Mass. Archives, xci., 210.

Mass. Archives, xci., 209. House Journal, p. 30.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Samuel Wheelwright Containing an Accompt of Wages due to them for their Service from June 2^d 1725, to Nov. 16th 1725, Amounting to the Sum of £341. 19. 4.

Read and Accepted and

Resolved That the Sum of Three Hundred and Thirty Seven Pounds Nineteen shillings and four pence be allowed & paid out of the publick Treasury to the Officers and Soldiers born on the within Roll to whom the Same is respectively due in full discharge of the Wages thereof Agreable to the above report. [*Passed November 23.*

CHAPTER 263.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF LEICESTER SCOUT.

Legislative Records of the Council, xiii., 31. Mass. Archives, xci., 182.

Mass. Archives, xci., 181. House Journal, p. 28.

A MUSTER ROLL of the Scout in His Majestys Service at Leicester under the Command of Cpt. Thomas Newhall, Containing an Acc^t of Wages due to them for their Service from May 10th to Octob^r 28. 1725, together with their Subsistence, Amounting to the Sum of £186. 13. 9.

Read and Accepted and

Resolved That the Sum of One Hundred Eighty Six pounds, thirteen shillings and Nine pence be allowed and paid out of the publick Treasury to the said Serj^t Thomas Newhall to be by him paid to the Severall persons to whom the same is Due in full discharge of the Wages and Subsistence thereof. [*Passed November 23.*

CHAPTER 264.

ORDER ON COMM^TEES REPORT ON LITTLETON ANNEXATION PETITION.

Legislative Records of the Council, xiii., 31.

PURSUANT to an Order of the General Court in their Session June the 14th 1725, the Committee repaired to the Town of Littleton, Having first notified the Inhabitants of the Westerly Precinct in Chelmsford, & Hav-

ing heard the Pleas & Allegations of the Petitioners, View'd their Situations and considered the Objections of the Inhabitants of the West Precinct in Chelmsford, Are humbly of Opinion, That all that Part of Concord known by the Name of Powers's Farm (alias Nashoba) together with all such of the Petitioners belonging to Chelmsford West Precinct, as do inhabit the Lands lying on the Westerly Side of a Line beginning at the South Corner of Josiah Whitneys Land at a Stake & Heap of Stones at Nashoba Line, & extending thence North Easterly, (as said Whitneys Line runs) until it comes to Sadny Brook, & thence running up said Brook until it crosses the Easterly Line of Joseph Butterfields Meadow, & thence a streight Line to a White Oak standing in Lieut. Fletchers Land near a High Way, And thence running South Westerly by said Way until it comes against the Easterly Corner of Joseph Butterfields Land, Thence Crossing the High Way to said Butterfields Corner, And from thence on a West North West Line over Bever Brook until it comes to Chelmsford Westerly Line, Be annexed to the Town of Littleton, to do Duty and receive Privilege in said Town in every Respect, as other Inhabitants of the said Town; So, Nevertheless that none of the Meadows lying & being on the South Westerly Side of the said Line now in the Possession of any of the Inhabitants of Chelmsford, now dwelling on the North Easterly Side of the abovesaid Line be subjected to the Payment of any Taxes or Assessments to the Town of Littleton, And that none of the Meadows lying & being on the North Easterly Side of said Line, & now belonging to any of the Proprietors so annexed to the Town of Littleton shall be subject to any Taxes or Assessments to the Town of Chelmsford: All which is humbly submitted. In the Name of the Committee:

JONATH^N DOWSE

House Journal, p. 31. *Ante*, p. 602, chap. 72.

Read &

Ordered that this Report be so far Accepted as it relates to the Inhabitants of Concord formerly set to the Town of Littleton, And that the six Familys belonging to Chelmsford be continued in the West Precinct in that Town. [*Passed November 23.*

CHAPTER 265.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF BRINFIELD SCOUT.

A MUSTER ROLL of the Scout in His Majestys Service at Brinfield under the Command of Serg^t Joseph Knolton, Containing an Accompt of Wages due to them for their Service from July 1st to Octob. 30. 1725, together with their subsistence, Amounting to the Sum of £172. 16. 3.

Legislative Records of the Council, xiii., 32. Mass. Archives, xci., 183.

Read and Accepted and

Resolved That the sum of One Hundred & seventy Two Pounds Sixteen shillings & three pence be allowed & paid out of the publick Treasury to the Officers and Soldiers born on the within Roll & the persons that have Subsisted them in full discharge of the Wages and Subsistence thereof. [*Passed November 23.*[1]

House Journal, pp. 28, 58, 71. *Post*, p. 710, chap. 376.

[1] On December 7 the House having taken into consideration the foregoing resolve, so far as it relates to subsistence, "& supposing that Mr. Treasurer might be uncertain to whom to pay the Subsistence Money due thereon" passed a resolve to meet the case. This last action was reconsidered by the House December 13, and a resolve passed, in which the Council concurred and to which the Lieut. Governor gave his consent. That resolve appears *post*, under date of December 13, p. 710, chap. 376.

The marginal citations cover the whole subject.

CHAPTER 266.

RESOLVE ALLOWING £6. 13. 8 TO THO. TROT.

Legislative Records of the Council, xiii., 33.

House Journal, p. 29.

AN ACCOMPT presented by Thomas Trott of Dorchester of Subsisting Indian Soldiers from the County of Bristol, Certified by Thomas Church Esqr Amounting to the Sum of £6. 13. 8 with a List of said Indians annexed.

[Read and]

Resolved that the Sum of Six Pounds thirteen shillings & eight pence be allowed & paid out of the publick Treasury to Thomas Trott in full Discharge thereof, And that the Treasurer be directed to stop so much out of the Subsistence of the Indian Voluntiers, as their Part or Proportion of this Accompt amounts to, The List of their Names being hereto annexed. [*Passed November 23.*

CHAPTER 267.

RESOLVE ALLOWING £161. 12 TO L^T^ JOHN LARRABEE AND FURTHER ADVANCING £200 FOR VICTUALING GARRISON.

Legislative Records of the Council, xiii., 33.

House Journal, p. 31.
Ante, p. 607, chap. 86.

AN ACCOMPT presented by Lieut. John Larrabee of the Charge of Victualling the Garrison at His Majestys Castle William the Honble William Dummer Esqr Command^r^ from the 24th of May 1725, to ye 21st of Novem^r^ following, Amounting to £361. 12 Ball^a^ thereof being £161. 12.

[Read, Accepted and]

Resolved that Mr Treas^r^ Allen be Directed to pay to the Accomptant Lieut. John Larrabee the Sum of One Hundred & sixty one Pounds twelve shillings being the Ballance of this Accompt;

And further to enable the said John Larrabee to Victual the Garrison at His Majestys Castle William according to the last Establishment, It is

Resolved that Mr Treasurer be & hereby is Directed to pay & advance to Lieut. John Larrabee the Sum of Two Hundred Pounds for Victualling the said Garrison according to Establishment, Taking Security from him for the true & faithful Performance thereof. [*Passed November 23.*

CHAPTER 268.

RESOLVE ALLOWING £30 TO SAM^LL^ JORDAN.

Legislative Records of the Council, xiii., 34.

House Journal, p. 31.

A PETITION of Capt. Samuel Jordan Praying an Allowance for an Horse of the Value of Thirty five Pounds, wch he left at Westfield under ye Care of Cpt. John Ashley when he accompanied the Commiss^rs^ to Canada, the Horse being lost & not return'd to the Petitioner by Cpt. Ashley.

Read &

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury to the Petitioner Samuel Jordan in Consideration of his Horse being lost in the Service of the Province, The Money to be returned again into the Treasury, If the Horse afterwards shall be found. [*Passed November 23.*

CHAPTER 269.

ORDER ON JOHN AND ELISABETH MAC LELAND PETITION IN REGARD TO AN EQUITY OF REDEMPTION.

A PETITION of John Mac Leland & Elisabeth his Wife formerly Elisabeth Wardel, Shewing that whereas this Court were pleased on the 16th of August 1704, upon the Petition of Elihu Wardel & Sarah his Wife (Mother to the Petitioner Elisabeth) for Sale of a House & Land at the Northerly End of the Town of Boston, wch was then ruinous & much out of Repair, & the Petitioners by no Means capable of Repairing the same, to allow of the Sale of the said House & Land, so as that the Produce thereof be invested in some other Real Estate within the Town of Boston or some other Town within the County of Suffolk, wch might be advantageous to the Petitioners & their Children, The said House & Land being by Nathaniel Adams Decd in & by his last Will given & devised to the afore named Sarah his Grand Child & the Heirs of her Body lawfully begotten, That the said House & Land by Vertue of the Order afore said was Sold by the said Elihu & Sarah Wardel to one Thomas Kellum of Boston Glazier, but the Condition of the said Order has not been performed by them, So that the Petitioners will be strip'd of their Inheritance without the Interposition of this Court under Colour of the afore said Order, And therefore Praying for such Relief in the Premisses as this Court in their Wisdom shall judge meet to afford them.

Legislative Records of the Council, xiii., 2, 34.

House Journal, pp. 3, 31. Province Laws, i., 356, chap. 22.

Read &

Ordered that the Justices of the Inferiour Court of Common Pleas for the County of Suffolk be & hereby are Authorized & Directed upon a Petition to them made by John Mac-Leland & Elisabeth his Wife as in Cases of Equity for Redemption of Mortgaged Estates Setting forth the whole Matter, to examine what may be a just & equitable Sum for the said John Mac Leland & Elisabeth his Wife to pay to the Widow & Heirs of Thomas Kellum the Purchaser of the House & Land devised to Sarah Wardel in Fee Tail as set forth in this Petition, And upon Payment thereof to have Judgement & Execution for Possession of the said House & Land, And the said Justices are to conform them selves in this Case to the Law of the Province entituled An Act for Hearing & Determining Cases in Equity so far as may be ; Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed November 23.*

CHAPTER 270.

RESOLVE ALLOWING CAPTAINS PAY TO CPT. JER. MOULTON.

A MEMORIAL of Cpt. Jeremiah Moulton, Praying that he may be allowed Captains Wages (Notwithstanding the Smallness of his Company) in Consideration of the many Marches he has performed, & the great Fatigue & Expence he has been at in the Service.

Legislative Records of the Council, xiii., 34.

House Journal, p. 31.

Read &

Resolved that Captains Pay be allowed to the Memorialist, according to the Prayer of the Petition. [*Passed November 23.*

CHAPTER 271.

ORDER ON MELET. MAUDSLEYS PETITION FOR LICENCE TO SELL LIQUOR.

Legislative Records of the Council, xiii., 35.

House Journal, p. 30.

A PETITION of Meletiah Maudsley of Dorchester Widow, Shewing that her Husband being lately killed by the Indians at Damaras Cove, she is reduced to very indigent Circumstances, & having obtained the Allowance and Recommendation of the Select Men for a Licence to retail Strong Drink out of Doors, Therefore Praying a Grant of such Licence from this Court:

Read &

Ordered that it shall & may be lawful for the Justices of the Peace for the County of Suffolk at their next General Sessions of the Peace to grant a Licence to the Petitioner for Selling & Retailing Strong Drink out of Doors (If they see Cause) The Time by Law for Granting Licences for this present Year being elapsed Notwithstanding. [*Passed November 23.*

CHAPTER 272.

ORDER ON EDW^D HUMPHREYS PETITION, GUARDIAN TO JOHN W^M AND RUTH EVERDEN, MINORS, FOR POWER TO SELL THEIR INTEREST IN A DWELLING HOUSE.

Legislative Records of the Council, xiii., 34.

House Journal, p. 34.

A PETITION of Edward[1] Humphreys of Marblehead Guardian to John Everden, William Everden & Ruth Everden Minors, his Bretheren & Sister Shewing that Naomi Everden their Mother died seized in her Demesne as of Fee, of one fifth Part in Common & Undivided of a wooden Dwelling House & Land situate in Wings Lane in Boston, W^ch said House is much out of Repair & of no Benefit to ye Persons interested, And therefore Praying that he may be impowered in his aforesaid Capacity to make Sale of the Right & Interest of the said three Minors in the said fifth Part of ye Dwelling House aforesaid with ye Land thereto belonging & to execute a lawful Deed of Conveyance for the same.

Read &

Ordered that the Prayer of this Petition be granted, Provided that the Petitioner give Security to ye Judge of Probates for the County of Suffolk for the Minors Parts of the House & Land refer'd to, as is proposed in the Petition. [*Passed November 24.*

CHAPTER 273.

RESOLVE ALLOWING PAYMENT ON CPT. JER. MOULTONS MUSTER ROLL.

Legislative Records of the Council, xiii., 37. Mass. Archives, xci., 133.

Mass. Archives, xci., 132.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Jeremiah Moulton, Containing an Accompt of Wages due to them for their Service from Novem^r 21. 1724, to Jany 28, following, Amounting to the Sum of £154. 5.

Read and Accepted and

Resolved That the Sum of One Hundred and Forty Eight pounds,

[1] "*Richard,*" in the House Journal.

fifteen shillings and One penny be allowed and paid out of the Publick Treasury to the Officers and soldiers born on the within Roll in full discharge of the Wages[1] thereof. [*Passed November 24.*

House Journal, p. 33.

CHAPTER 274.

RESOLVE ALLOWING PAYMENT ON CPT. JER. MOULTONS 2D MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Jeremiah Moulton, Containing an Accompt of Wages due to them for their Service from the 12th of May 1725, to the 23d of Novemr 1725, Amounting to the Sum of £504. 10. 7.

Legislative Records of the Council, xiii., 37.

House Journal, p. 33.

[Read, Accepted, and]

Resolved that the Sum of Five Hundred & two Pounds seven shillings & eight pence be allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll in full Discharge of the Wages thereof. [*Passed November 24.*

CHAPTER 275.

VOTE FOR ADJOURNING HAMPSHIRE COURTS.

WHEREAS the Court of General Sessions of the Peace & Inferiour Court of Common Pleas for the County of Hampshire is by Law appointed to be Held & Kept at Northampton in & for the said County of Hampshire on the first Tuesday of December next, & several Justices of ye said Court &c, are Members of this Court;

Legislative Records of the Council, xiii., 36.

House Journal, p. 32. Province Laws, i., 367, chap. 1; 369, chap. 2.

Resolved that in Consideration of the present Sitting of the Great & General Court or Assembly of this Province, the said Court of General Sessions of the Peace & Inferiour Court of Common Pleas be & hereby are adjourned to the first Tuesday of January next, being the fourth Day of the said Month, And the Justices of the said Courts & all others concerned are to take Notice hereof, & to conform themselves hereunto accordingly, Any Law Usage or Custom the Contrary Nothwithstanding. [*Passed November 24.*

CHAPTER 276.

RESOLVE CONFIRMING TITLE TO A PLAT OF 300 ACRES OF LAND TO HEN. DWIGHT ESQR.

A PLAT of three Hundred Acres of Land, laid out to Henry Dwight Esqr by Vertue of a Grant made by the General Assembly in the Year 1707, to Cpt. John Shelden, Beginning at a Pine Tree, South East from Pataquatuck Pond, Mark'd HDX, survey'd by Cpt. Timothy Dwight & the Return made upon Oath.

Legislative Records of the Council, xiii., 37.

Legislative Records of the Council, viii., 336. House Journal, p. 33. Province Laws, viii., 249, chap. 70.

Read & ACCEPTED &

Resolved that the Land protracted & described in the within Plat be & hereby is Confirmed to the said Henry Dwight Esqr his Heirs & Assigns, as he is Assign of the said Cpt. John Shelden, And is in

full Satisfaction of the Grant of Three Hundred Acres of Land Made by this Court to the said John Shelden, Anno 1707. [*Passed November 24.*

CHAPTER 277.

RESOLVE ALLOWING 22/ TO EDW^D WATTS.

Legislative Records of the Council, xiii., 37.

House Journal, p. 33.

AN ACCOMPT of Edward Watts of the Hire of his Horse for Solomon Bacon (Express to Rowley) with ye Charge of Bringing him back Amounting to 22/.

[Read and]

Resolved that the Sum of Twenty two shillings be allowed & paid out of ye publick Treasury to Edward Watts in full Discharge thereof. [*Passed November 24.*

CHAPTER 278.

RESOLVE ALLOWING PAYMENT ON CASTLE WILLIAM MUSTER ROLL.

Legislative Records of the Council, xiii., 38. Mass. Archives, xci., 218.

Mass. Archives, xci., 217. House Journal, p. 30.

A MUSTER ROLL of the Garrison in His Majestys Service at Castle William under the Command of the Honble William Dummer Esqr Containing an Accompt of Wages due to them for their Service from May 24th to Novem^r 21. 1725, Amounting to the Sum of £527. 10. 5.

Read and Accepted and

Resolved That the sum̄ of Five Hundred and Twenty Three pounds, fourteen shillings and four pence be allowed and paid out of the publick Treasury to the Officers and Soldiers born on this Roll in full discharge of the Wages thereof agreable to the above report. [*Passed November 24.*

CHAPTER 279.

ORDER ON AMOS TURNERS PETITION IN REGARD TO A DEFECTIVE JUDGMENT.

Legislative Records of the Council, xiii., 35.

House Journal, pp. 36, 37.

A PETITION of Amos Turner of Scituate Shewing that at the Inferiour Court held at Plimouth for the County of Plimouth in Decem^r last He brought an Action of Debt against John Hyland of Scituate Yeoman for Recovery of Forty Pounds lawful Money of New England, At wch Court the said John Hyland made Default, But the Petitioner thrô Forgetfulness neglected to put in his Bond, on which the Action was brought, so that no Judgem^t could be made up & perfected in said Action, And yet by Mistake an Appeal was enter'd to the then next Superiour Court for the said County, That the Petitioner at the Inferiour Court held at Plimouth in March last presented his Bond, & prayed that Judgem^t might be made up, W^ch was accordingly done for the just Debt & Damage, but yet the Clerk of the said Court refuses to give out an Execution therefor, neither will the said Hyland pay one Peny thereof, So that he is without Remedy in the Law Praying such Relief in the Premisses as this Court shall judge proper.

Read & In Answer to the Petition of Amos Turner

Ordered that John Hyland the Adverse Party have full Liberty & Power of Bringing forward an Appeal to the next Superiour Court to

be holden at Plymouth, from a Judgem^t of the Inferiour Court of Common Pleas begun at Plimouth in Decem^r & perfected in March last at the Suit of the said Amos Turner, And in Case the said Hyland neglect or refuse to bring forward his said Appeal; Then the said Turner have Power to file his Complaint against the said Hyland according to the Directions of the Law; Provided the Petitioner notify the said Hyland by Leaving a Copy of this Order thirty Days at the least before the Sitting of the said Court, And the Justices of the said Superiour Court are hereby Directed & Impowered to Hear & Determine as well the Appeal of the said Hyland & to Chauncer the Bond sued on to the just Debt & Damage, in Case an Appeal be brought on according to Law, As the Complaint of the said Amos Turner in Case of a Non Prosecution, & award Execution accordingly. [*Passed November 25.*

CHAPTER 280.

RESOLVE ALLOWING PAYMENT ON THE MUST^R ROLL OF BROOKFIELD COMP^A.

A MUSTER ROLL of the Company in His Majestys Service at Brookfield under the Command of Ens. Solomon Johnson, Containing an Acc^t of Wages due to them for their Service from June 10th 1725, to Novem^r 18. 1725, together with the Subsistence of the said Company, Amounting to the Sum of £314.

Legislative Records of the Council, xiii., 39. Mass. Archives, xci., 214.

On the within Roll Sign'd by Capt Sam^ll Wright & Vouch'd by his Oath — from June 10. to Nov. 28 — The Committee having Exam'd ye same find it right cast. But in as much as Wm Cheever had a Gun belongin to the town of Cambridge delivered him by the Coll^ll Are of Opinion y^t fifty shillings of his wages be detained till he return the said Gun, & y^t Eleaz^r Brown entred a Corporal have forty four shillings deducted frō him y^t being ye Complement besides & that Cyprian Wright, Henry Allen Wm Brown and Richard Burk have ten shillings deducted from each of them they being paid on ye Voluntiers roll for one week of ye time they stand on y^s roll, & y^t ye wages said to be due to Cornelius Walling being three pounds eight shillings & six be also deducted He being returned a Deserter, after which Deductions amounting to Ten Pounds two shillings & six pence y^t ye remaining sume Amounting to Three hundred & three Pounds seventeen shillings & six pence be allowed & paid out of the publick Treasury to Capt Samuel Wright to be by him paid to ye Officers & soldiers born on y^s roll to whome it is respectively due in full discharge thereof.

Mass. Archives, xci., 211, 213. House Journal, p. 37.

EZE: LEWIS ꝑ ord^r

Read and Accepted and

Resolved That the Sum of Three Hundred and Three pounds, Seventeen shillings and Six pence be allowed and paid out of the publick Treasury to Capt Samuel Wright to be by him paid to the Officers and Soldiers born on this Roll to whom the same is due in full discharge thereof And that the Fifty Shillings Stop'd as above for the Gun be deliver'd to Spencer Phipps Esq for ye use of the Town of Cambridge and by him be Detain'd till the Return of the said Gun. [*Passed November 26.*

CHAPTER 281.

RESOLVE ALLOWING PAYMENT ON LT ALLISON BROWNS MUSTER ROLL.

Legislative Records of the Council, xiii., 39. Mass. Archives, xci., 216.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Lieut. Allison, Brown, Containing an Accompt of Wages due to them for their Service from the 29th of May 1725, to the 19th of Novemr Currant, Amounting to the Sum of £328. 19. 1.

Mass. Archives, xci., 215. House Journal, p. 37.

Read and Accepted and

Resolved That the the [1] Sum of Three Hundred and Nine pounds fifteen shillings and Nine pence be allowed & paid out of the publick Treasury to the Officers and soldiers born on the within Roll in full discharge of the Wages thereof according to the above Report. [*Passed November 26.*

CHAPTER 282.

RESOLVE ALLOWING PAYMENT OF MUSTR ROLL, OF WORCESTER SCOUT.

Legislative Records of the Council, xiii., 39. Mass. Archives, xci., 149.

A MUSTER ROLL of the Scout in His Majestys Service at Worcester & Shrewsbury under the Direction of Sergt Moses Rice Containg an Acct of Wages due to them for their Service from June 10th 1725, to Oct. 29, 1725, together with their Subsistence, Amounting to the Sum of £216. 2. 3.

Mass. Archives, xci., 148. House Journal, p. 37.

Read and Accepted and

Resolved That thesum [2] of Two Hundred and Sixteen pounds two shillings & three pence be allowed and paid out of the publick Treasury to the said Moses Rice to be by him paid to the respective persons that subsisted them in full discharge of the Wages thereof. [*Passed November 26.*

CHAPTER 283.

RESOLVE ALLOWING PAYMENT OF £4. 12 TO COLL. CHANDLER.

Legislative Records of the Council, xiii., 40.

AN ACCOMPT presented by Coll. John Chandler of Expresses sent in the publick Service &c, Amounting to the Sum of £4. 12.

House Journal, p. 36.

[Read and]

Resolved that the Sum of Four Pounds & twelve shillings be allowed & paid out of the publick Treasury to John Chandler Esqr to be by him paid to the Persons to whom the same is due in full Discharge thereof. [*Passed November 27.*

CHAPTER 284.

VOTE GRANTING LANDS TO SAMLL PATRIDGE ESQR.

Legislative Records of the Council, xiii., 27, 41.

A MEMORIAL of Samuel Partridge Esqr Shewing, that for many years past, he served the Interest of this Province in many publick Stations & Employments, especially in the War with the Indian Enemy, Pray-

[1] *Sic.*
[2] Words run together in the MS.

ing for such Allowance for his said Services as to this Court shall seem meet. House Journal, pp. 27, 39.

Read, And this Court taking the same into Consideration, And being very sensible of the many great & good Services done the Province for sundry years past by the Memorialist, And that the same may not pass without due Observation,

Voted & Granted to the said Samuel Partridge Esqr His Heirs & Assigns for ever Five Hundred Acres of Land in any Part of the Lands of this Province, lying within the County of Hampshire to be in one entire Tract. Provided the same do not interfere with any former Grant of this Court, And that a Plat of the said Five Hundred Acres of Land be returned to this Court by a Surveyour & Chain Men under Oath at the next Fall Session for Confirmation. [*Passed November 27.*

CHAPTER 285.

RESOLVE ON PETITION OF JOHN USHER ESQ^R, CANCELLING A MORTGAGE MADE BY HIM TO THE PROVINCE, UPON HIS RELEASING THE PROVINCE FROM ALL DEMANDS BY HIM.

A PETITION of John Usher Esqr Shewing that in the Service of this Province he advanced several Sums of Money on the Credit of the Taxes during Sir Edmund Andross's Governm^t Which he has not as yet been reimbursed, That he formerly applied him self to this Court, & laid his Accompts before them for Examination, wch have not as yet been allowed by them, Although a Committee appointed to examine the same reported in his Favour that a considerable Sum was due to him, That being streighten'd in his Circumstances he was obliged to take up at Interest from the Trustees of the £50,000 Loan the Sum of Five Hundred Pounds, for which he mortgaged his Lands, That the said Trustees have lately sued out his Mortgage, & have entered upon & dispossessed him of his Freehold, And to compleat his Ruine, one other Person, to whom he sold one Acre of Land (included in the Mortgaged Premisses) being likewise ousted of the same by the said Trustees has likewise recovered Judgement against him for £1,100 so that he is reduced to the lowest Circumstances, Praying that this Court would in their great Justice & Goodness afford Relief to him self & Family. Legislative Records of the Council, xiii., 41. Mass. Archives, vi., 3, 4. House Journal, p. 40. Province Laws, vii., 347, chap. 29; 719.

Read &

Resolved that upon the Petitioners releasing this Province from any Demand that may be made by him or his Heirs hereafter, That the Trustees of the £50,000 be & hereby are Authorized Directed & Impowered to cancel the Mortgage made to them for the Use of the Province by the Petitioner, for Security of the Payment of Five Hundred Pounds with Interest, And that the said Mortgage, & the Judgement of Court founded thereon shall hereupon be Declared null & void to all Intents & Purposes, And the said Trustees for Letting out the said Loan be desired & Directed to make Livery of Seizen of the fore mentioned Mortgaged Premisses to the Petitioner accordingly. [*Passed November 29.*

CHAPTER 286.

ORDER ON Y^E PETITION OF PLIMOUTH NORTH PRECINCT TO BE MADE A TOWN.

Legislative Records of the Council, xiii., 42.

House Journal, p. 39. *Ante*, p. 628, chap. 135.

ON THE PETITION of the North Precinct in Plymouth, Praying to be erected into a Township, [*ante*, p. 628].

In Council; Read again together with the several Answers, And the same being duly Considered;

Ordered that John Cushing & Samuel Thaxter Esq^rs with such as shall be appointed by the Honble House of Represent^ves be a Committee to repair to the North Precinct in Plymouth, & view the same, & hear the several Parties on the Matter of this Petition, & report at the next May Sessions of this Court, what they judge proper for this Court to do thereon; In the House of Represent^ves Read & Concurd And

Ordered that Major Quincy, Mr Bourn & Mr Edward White be joined in the Affair. [*Passed November 29.*

CHAPTER 287.

RESOLVE ALLOWING £7 TO EBEN^R AYERS.

Legislative Records of the Council, xiii., 42.

House Journal, p. 40.

A PETITION of Ebenezer Ayers, Praying the Allowance of his Accompt of sundrys which he lost in Winnepesocket Ponds by the Oversetting of a Canoe by Reason of a hard Gale of Wind, He being then upon his Duty & in the publick Service of this Province.

Read [accepted] &

Resolved that the Sum of Seven Pounds be allowed & paid out of the publick Treasury to Ebenezer Ayer the Accomptant in full Discharge thereof. [*Passed November 29.*

CHAPTER 288.

RESOLVE ALLOWING £6 TO DR W^M DAVIS.

Legislative Records of the Council, xiii., 43.

House Journal, p. 40.

AN ACCOMPT presented by Dr William Davis of Medicines & Attendance on Wm Phillips a Pirate & several Indian Prison^rs Amounting to ye Sum of £6.

[Read Accepted and]

Resolved that the Sum of Six Pounds be allowed & paid out of the publick Treasury to Dr William Davis in full Discharge of the said Accompt. [*Passed November 29.*

CHAPTER 289.

RESOLVE FOR EMITTING £30,000 IN BILLS OF CREDIT, £10,000 IN 1731, £10,000 IN 1732, £10,000 IN 1733, AND PROVIDING SECURITY.

Legislative Records of the Council, xiii., 43.

PURSUANT to the Direction in ye Royal Charter in that Clause or Paragraph Impowering the General Court to Impose & Levy proportionable & reasonable Assessments Rates & Taxes

Resolved that the Treasurer be & hereby is Impowered & Directed to Issue forth & Emit the Sum of Thirty Thousand Pounds in Bills of Credit on this Province for the necessary Defence & Support of the Government & the Protection & Preservation of the Inhabitants thereof, The said Thirty Thousand Pounds being already put into ye Hands of the Treasurer by the Committee appointed to make the same the last Session of this Court, To be Issued & disposed of by Warrant under the Hand of the Governour or Commander in Chief for the Time being with the Advice & Consent of the Council, Twenty nine Thousand Pounds whereof shall be applied for ye Uses Intents & Purposes in this Resolve hereafter expressed; viz, For the Payment of all Grants, Premiums & Stipends established by Law, For the Defraying & Paying the Charge of Castle William & other Forts & Garrisons, Transports, Muster Rolls of Soldiers & Sailors, Allowances &c, and all other Accompts of Charges allowed & pass'd on for Payment by this Court; And that the Sum of One Thousand Pounds being the Residue & remaining Part of the said Sum of Thirty Thousand Pounds shall be applied for the Payment of Expresses dispatched in the Service of this Government in the Recess of this Court, together with all necessary unforeseen Charges that demand prompt Payment, which shall arise in the Recess of the Court as afore said, PROVIDED always that the several Draughts made upon the Treasurer afore said express & declare out of which of the two several Sums afore mention'd the Money is to be paid, And that the said Bills shall pass out of the Treasury at the Value therein express'd, Equivalent to Money, and shall be so taken & accepted in all publick Payments;

House Journal, pp. 35, 36. Province Laws, ii., 375. *Ante*, p. 607, chap. 84.

And that the Duties of Impost & Excise, together with all other publick Incomes shall be a Fund & Security for the Annual Repayment & Drawing the said Bills to ye Treasury again, so far as the same will reach;

And as a further Fund & Security for the same,

It is further

Resolved that there be & hereby is granted to His most Excellent Majesty for the Ends & Uses afore said, & for no other Ends & Uses what soever a Tax of Ten Thousand Pounds to be levied upon Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same, as shall be Agreed on & Ordered by the Great and General Court or Assembly of this Province, at their Session in May One Thousand seven Hundred & thirty one, & paid into the Treasury on or before the last Day of Decem^r next after:

And that the further Sum of Ten Thousand Pounds be levied upon Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province, at their Session in May One Thousand seven Hundred & thirty two, & paid into the Treasury on or before the last Day of December next after.

And that the further Sum of Ten Thousand Pounds, being the Remainder of the afore said Thirty Thousand Pounds be levied upon Polls & Estates both Real & Personal within this Province according to such Rules & in such Proportion upon the several Towns & Districts within the same as shall be Agreed on & Ordered by the Great & General Court or Assembly of this Province at their Session in May One Thousand seven Hundred and thirty three, & paid into the Treasury on or before the last Day of December next after. [*Passed November 30.*

CHAPTER 290.

RESOLVE ALLOWING PAYMENT OF CPT. JOHN GRAYS MUSTER ROLL.

Legislative Records of the Council, xiii., 44. Mass. Archives, xci., 222.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. John Gray Containing an Accompt of Wages due to them for their Service from the first of June 1725, to the 22d of Novemr 1725, Amounting to the Sum of £396. 5. 1.

Mass. Archives, xci., 221. House Journal, p. 42.

Read and Accepted and

Resolved That the Sum of Three Hundred and Ninety Six Pounds, five shillings and One penny be allowed and paid out of the publick Treasury to the Officers and Soldiers born on the within Roll to whom the Same is due in full discharge thereof. [*Passed November 30.*

CHAPTER 291.

RESOLVE ALLOWING PAYMENT OF CPT. JOHN PENHALLOWS MUSTER ROLL.

Legislative Records of the Council, xiii., 45. Mass. Archives, xci., 205.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. John Penhallow, Containing an Accompt of Wages due to them for their Service from the 8th of June 1725, to the 15th of October 1725, Amounting to the Sum of £259. 19. 1.

Mass. Archives, xci., 204. House Journal, p. 25.

Read and Accepted and

Resolved That the Sum of Two Hundred, Fifty Nine pounds, Nineteen shillings and One penny be allowed and paid out of the publick Treasury to the Officers and Soldiers born on this Roll in full discharge of the Wages thereof. [*Passed November 30.*

CHAPTER 292.

RESOLVE ALLOWING PAYMENT ON CPT. JOSH. MOODY HIS MUSTR ROLL.

Legislative Records of the Council, xiii., 45. Mass. Archives, xci., 220.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Joshua Moodey, Containing an Accompt of Wages due to them for their Service from the first of June to the 22d of November 1725, Amounting to the Sum of £352. 5.

Mass. Archives, xci., 219. House Journal, p. 42.

Read and Accepted and

Resolved That the Sum of Three hundred and Forty pounds, Eighteen shillings and Four pence be allowed and paid out of the publick Treasury to the Officers & soldiers born on the within Roll to whom the same is respectively due agreable to the above Report in full discharge of the Wages thereof. [*Passed November 30.*

CHAPTER 293.

ORDER ON PETITION OF JONA WALDO & BENJA MASON &c. PRAYING FOR THE SALE OF LANDS IN WHICH MINORS ARE INTERESTED.

Legislative Records of the Council, xiii., 45.

A PETITION of Jonathan Waldoe & his Wife, Benjamin Mason and others, Shewing that Ralph Mason of Boston Decd April 20. 1661, was seized in his Demesne as of Fee of a Lot of Land in Boston, & by his

Deed of that Date gave the said Land, viz, the Front Part of it, to take immediately, & the Rear Part of it after the Decease of the said Ralph & Ann his Wife to his Son Richard Mason & Sarah his Wife in Special Tail, the Remainder to the said Richard & his Heirs for ever in Fee Simple, That the Special Tail is spent, & the Remainder in Fee Simple is reversed to the Heirs of the said Richard to the Number of about twenty two, Whereof some that are least Interested are Minors & uncapable of Making any Division of the Premisses, Praying that this Court would appoint some Persons to sell the same, the Money to be distributed among the said Heirs, Or that the Judge of Probates may be Impowered to grant Administration & settle the same on some one of them, He paying the Rest their Proportion of the Value, according to the Law respecting Intestate Estates. House Journal, p. 43.

Read &

Ordered that the Prayer of the Petition be so far granted, That the Judge of the Probate of Wills for the County of Suffolk be & hereby is Directed & Impowered to appoint an Administr to sell the Land mentioned in the Petition & to distribute the Proceeds thereof to & among the Persons interested according to the Directions of the Law. [*Passed November 30.*

CHAPTER 294.

RESOLVE ALLOWING £52. 11. 5 TO DR EBENR ALLEN.

AN ACCOMPT presented by Ebenezer Allen of Wages due to him for his Service as Chirurgeon of ye Forces Eastward under the Command of Coll. Thomas Westbrook, from May 23, to Nov. 22. 1725, Amounting to £52. 11. 5. Legislative Records of the Council, xiii., 46. House Journal, p. 42.

[Read and]

Resolved that the Sum of Fifty two Pounds eleven shillings & five pence be allowed & paid out of the publick Treasury to Dr Ebenezer Allen in full Discharge thereof. [*Passed November 30.*

CHAPTER 295.

RESOLVE ABOUT WAGES OF DAVID JOB AN INDIAN; AND ALLOWING £4. 8. 7 TO ISAAC BARKER.

A PETITION of Isaac Barker of Pembroke Shewing that whereas David Job an Indian lately a Soldier in the Service upon his Return Home lodged in a Barn at Pembroke upon a Hay Mow & accidentally fell off & was exceedingly hurt thereby, of which Hurt he died, The Petitioner provided Doctors & other things necessary to preserve his Life and after his Death was at the Charge of his Burial, Praying Allowance out of the publick Treasury of the Accompt hereunto annexed. Legislative Records of the Council, xiii., 46. House Journal, pp. 39, 44.

[Upon reconsideration of certain action in the matter]

Resolved that the Wages due to the said David Job Indian in Cpt. Kennedys Roll being Four Pounds eight shillings & seven pence be allowed & paid out of the publick Treasury to Meletiah Bourn Esqr to be by him paid for the Use & Support of the said David Jobs Wife and Family as they may stand in Need thereof.

Resolved that the Sum of Four Pounds eight shillings & seven pence be allowed & paid out of the publick Treasury to Isaac Barker Junr in

full Discharge of what he expended & disbursed on David Job Indian During his last Illness as well as at his Funeral, He dying in the Service of the Province. [*Passed November 30.*

CHAPTER 296.

RESOLVE ALLOWING PAYMENT OF CPT. JAMES GRANTS MUSTER ROLL.

Legislative Records of the Council, xiii., 47. Mass. Archives, xci., 145.

Mass. Archives, xci., 144. House Journal, p. 42.

A MUSTER ROLL of the Company of Voluntiers in His Majestys Service under the Command of Cpt. James Grant, Containing an Accompt of Wages due to them for their Service Eastward from the 25th of June to the 4th of August 1725, Amounting to the Sum of £100. 16. 5.

Read and Accepted and

Resolved That the Sum of One Hundred pounds, Sixteen shillings and five pence be allowed and paid out of the publick Treasury to Capt James Grant to be by him paid to the Officers & soldiers born on the within Roll to whom it is due in full discharge of the Wages thereof, and that their subsistence be allowed them out of the publick Stores. [*Passed December 1.*

CHAPTER 297.

RESOLVE ALLOWING PAYMENT OF CPT. JA. GRANTS 2D MUSTER ROLL.

Legislative Records of the Council, xiii., 47. Mass. Archives, xci., 156.

Mass. Archives, xci., 154, 155. House Journal, p. 42.

A MUSTER ROLL of the Company of Voluntiers in His Majestys Service Eastward under the Command of Cpt. James Grant, Containing an Accompt of Wages due to them for their Service from the 20th of Septemr to the 9th of October 1725, Amounting to the Sum of £84. 18. 11.

Read and Accepted and

Resolved That the Sum of Eighty Four pounds, Eighteen shillings & Eleven pence be allowed and paid out of the publick Treasury to Capt James Grant to be by him paid to the officers and soldiers born on the within Roll in full of the Wages thereof; and that Subsistence be allowed them out of the publick Stores accordingly. [*Passed December 1.*

CHAPTER 298.

RESOLVE ALLOWING PAYMENT OF CPT. JA. GRANTS 3D MUSTER ROLL.

Legislative Records of the Council, xiii., 47. Mass. Archives, xci., 203.

Mass. Archives, xci., 201, 202. House Journal, p. 42.

A MUSTER ROLL of the Company of Voluntiers in His Majesties Service Eastward under the Command of Cpt. James Grant, Containing an Accompt of Wages due to them for their Service from the 13th of Octobr to the 14th of Novemr 1725, Amounting to the Sum of One Hundred & forty four Pounds 17/6.

Read and Accepted and

Resolved That the Sum of One Hundred and Forty Four pounds seventeen shillings and Six pence be allowed and paid out of the publick Treasury to Capt James Grant to be by him paid to the officers and soldiers born on the within Roll in full discharge of the Wages thereof and that subsistence be allowed them out of the publick Treasury Accordingly. [*Passed December 1.*

CHAPTER 299.

RESOLVE ALLOWING PAYMENT OF CPT. JOS. KELLOGS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Westward under the Command of Cpt. Joseph Kellog, Containing an Accompt of Wages due to them for their Service from the 19th of May to the 16th of Novemr 1725, together with their Subsistence, Amounting to the Sum of £1,139. 4. 5.

Legislative Records of the Council, xiii., 47. Mass. Archives, xci., 208.

Read and Accepted and

Resolved That the Sum of One Thousand One hundred and Thirty Nine Pounds four shillings and five pence be allowed & paid out of the publick Treasury to Capt Thomas Wells & to be by him delivered to Cap Joseph Kellogg and by him paid to the several Officers and soldiers born on this Roll and them that subsisted them respectively in full discharge of the Wages & subsistence thereof. [*Passed December 1.*

Mass. Archives, xci., 206, 207. House Journal, p. 42.

CHAPTER 300.

RESOLVE ALLOWING 28/ TO CPT. JOS. KELLOG.

AN ACCOMPT presented by Joseph Kellog of divers Expresses sent in the publick Service, Amounting to the Sum of £1. 8. 10.

Legislative Records of the Council, xiii., 48. Mass. Archives, xci., 206½.

Read and Accepted and

Resolved That thesum[1] of Twenty Eight shillings[2] be allowed and paid out of the publick Treasury to Capt Thomas Wells to be by him paid to Capt Joseph Kellogg &by[1] him paid to the several persons to whom thesame[1] is due in full Discharge thereof. [*Passed December 1.*

Mass. Archives, xci., 206½. House Journal, p. 42.

CHAPTER 301.

RESOLVE ALLOWING PAYMENT ON MUSTER ROLL OF YE GARRISON AT FORT DUMMER CPT. TIMO DWIGHT.

A MUSTER ROLL of the Company in His Majestys Service at Fort Dummer near Northfield under the Command of Cpt. Timothy Dwight, Containing an Accompt of Wages due to them for their Service from the first of June 1725, to the 30th of Novemr 1725, together with their Subsistence, Amounting to the Sum of £866. 10. 9.

Legislative Records of the Council, xiii., 48. Mass. Archives, xci., 237.

Read and Sofarr[1] Accepted and

Resolved That the Sum of Eight Hundred and Thirty One pounds fifteen shillings & four pence be allowed and paid out of the publick Treasury to Capt Timothy Dwight to beby[1] him paid to the Officers & soldiers born on the within Roll to whom thesame[1] is respectively due to discharge the Wages thereof Agreable to the above Report, and It is further

Mass. Archives, xci., 236. House Journal, p. 37.

Resolved That in Consideration of Nathaniel Chamberlain One of the Men born on the within Roll his being Captivated by the Indian Enemy, and leaving a Wife and Family in the Town of Hatfield in necessitous Circumstances, that the Sum of Seven pounds seven shillings and One penny so much Carried out as due to the said Nathaniel Chamberlain be allowed and paid out of the publick Treasury to Capt Henry Dwight

[1] Words run together in the MS.
[2] The House Journal reads, 28/6.

to be by him supplyed for the support of the said Chamberlains Wife & Family as they shall stand in need thereof, deducting what has been already Supplyed or advanced to Capt Timothy Dwight. [*Passed December 1.*

CHAPTER 302.

RESOLVE ALLOWING PAYMENT ON CPT. WM KENNEDYS MUSTER ROLL.

Legislative Records of the Council, xiii., 48. Mass. Archives, xci., 180.

A MUSTER ROLL of the Company of Indian Voluntiers in His Majestys Service Eastward under the Command of Cpt. William Kennedy Containing an Accompt of Wages due to them for their Service from July 15. 1725, to Nov. 22. 1725, Amounting to the Sum of £310. 7. 3.

Mass. Archives, xci., 178, 179. House Journal, p. 39.

Read and Accepted and

Resolved That the Sum of Three Hundred pounds, Eight shillings be allowed and paid out of the publick Treasury to the Officers & Solders born on the within Roll to whom the same is Respectively due agreable to the above Repat[1] in full discharge of the Wages thereof. [*Passed December 1.*

CHAPTER 303.

VOTE FOR DIVIDING CHARLESTOWN & ERECTING A NEW TOWN THERE.

Legislative Records of the Council, xiii., 48.

WHEREAS the Town of Charlestown within the County of Middlesex is of great Extent & Length & lies commodiously for two Townships, And the Northerly Part thereof being competently filled with Inhabitants, who labour under great Difficulties by their Remoteness from the Place of publick Worship, And the said Northerly Part have thereupon made their Application to the said Town & have likewise address'd this Court that they may be set off a distinct & separate Town, And the Inhabitants of Charlestown by their Agents having Consented to their being set off accordingly, And a Committee of this Court having viewed the Northerly Part of the said Town of Charlestown & Reported in Favour of the Petitioners;

Legislative Records of the Council, xiii., 9, 40. House Journal, p. 46. Province Laws, ii., 368, chap. 14. *Ante*, p. 613, chap. 98.

Resolved that the Northerly Part of the Town of Charlestown be Erected into a separate & distinct Township by the Name of And that the Bounds & Limits of the said Town of be according to the Agreement made by & between the Agents for & in Behalf of the said Town of Charlestown, & the Petitioners of the Northerly Part thereof, And that all the Lands & Meadows within the said Town of shall be & remain to such Uses & Appropriations as are in the said Agreement made and no other, And that the Petitioners have Leave to bring in a Bill for Erecting the Lands within the Bounds afore mentioned into a separate and distinct Township, by the Name of[2] accordingly. [*Passed December 1.*

CHAPTER 304.

RESOLVE ALLOWING £4 TO DR EBENR ROBY.

Legislative Records of the Council, xiii., 49.

AN ACCOMPT presented by Dr Ebenezer Roby of Medicines & Attendance on several Soldiers in Cpt. Samll Wrights Company, Amounting to ye Sum of £4.

[1] *Sic.*
[2] The town was named "Stoneham."—Province Laws, ii., 368, chap. 14.

[Read Accepted and]
Resolved that the Sum of Four Pounds be allowed & paid out of the publick Treasury to the Accomptant Dr Ebenezer Roby in full Discharge of the said Accompt. [*Passed December 1.*

House Journal, p. 45.

CHAPTER 305.

RESOLVE ALLOWING 21/ TO CPT. BENJA STEVENS.

AN ACCOMPT presented by Cpt. Benjamin Stevens of Conveying an Indian (supposed to be a Deserter) to Boston, Amounting to 21/.
[Read and]
Resolved that the Sum of Twenty one shillings be allowed & paid out of the publick Treasury to the Accomptant Cpt. Benjamin Stevens in full Discharge of this Accompt. [*Passed December 1.*

Legislative Records of the Council, xiii., 49.

House Journal, p. 43.

CHAPTER 306.

RESOLVE ALLOWING £43. 10 TO EDMD MOUNTFORTS ACCT.

AN ACCOMPT presented by Edmund Mountforth of Wages due to him for his Service in Delivering Slops & other Stores to the Forces Eastward from June 1st to Nov. 22. 1725, Amounting to the Sum of £43. 10.
[Read and]
Resolved that the Sum of Forty three Pounds ten shillings[1] be allowed & paid out of the publick Treasury to the Accomptant Edmund Mountforth in full Discharge thereof. [*Passed December 1.*

Legislative Records of the Council, xiii., 49.

House Journal, p. 44.

CHAPTER 307.

RESOLVE ALLOWING £12. 17. 2 TO ROBT FORRESTER.

AN ACCOMPT presented by Robert Forrester of sundry Repairs by him done at the Province House, Amounting to the Sum of £12. 17. 2.
[Read and]
Resolved that the Sum of Twelve Pounds seventeen shillings & two pence be allowed & paid out of ye publick Treasury to ye Accomptant Robert Forrester in full Discharge thereof. [*Passed December 1.*

Legislative Records of the Council, xiii., 49.

House Journal, p. 42.

CHAPTER 308.

ORDER FOR SURVEYING 500 ACRES OF LAND GRANTED TO CPT. JOHN PYNCHON DECD.

A MEMORIAL of John Ashley of Westfield Esqr Administr of the Estate & one of the Heirs of Cpt. John Pynchon of Springfield Decd Setting forth that this Court were pleased at their Session in May 1723,

Legislative Records of the Council, xiii., 50.

[1] The House Journal reads, "£43. 15."

House Journal, p. 43. *Ante*, p. 306, chap. 43.

to Order the laying out of Five Hundred Acres of Land to the Heirs of the said Cpt. Pynchon, & a Plat thereof to be returned within twelve Months to this Court for Confirmation, but by Reason of the Indian War the said Land has not yet been surveyed, nor a Plat thereof returned to satisfy the Grant of the General Court to the said Cpt. Pynchon, And therefore Praying that the said Land may be surveyed, & a Plat thereof returned in such Time as this Court shall judge meet for their Confirmation.

Read & IN Answer to this Petition,

Ordered that the Petitioner have Leave to survey Five Hundred Acres of ye unappropriated Lands of this Province by a Surveyour & Chain Men under Oath & return a Plat thereof to this Court within twelve Months for Confirmation to ye Heirs of the said Cpt. John Pynchon Dec^d^ W^ch^ is in Lieu & Satisfaction of the Grant of this Court made to the said Cpt. John Pynchon late of Springfield in May Anno 1666. [*Passed December 1.*

CHAPTER 309.

ORDER ON Y^E^ PETITION OF THE INHAB^TS^ OF Y^E^ WESTERLY PART OF WRENTHAM.

Legislative Records of the Council, xiii., 50.

House Journal, p. 49. *Ante*, p. 639, chap. 166.

ON THE PETITION of the Inhabitants of the Westerly Part of ye Town of Wrentham, [*ante*, p. 639].

In Council; Read again together with the Answer of the Town of Wrentham & the Petition of Benj^a^ Grant & others, And the same being fully Considered;

Ordered that Edmund Quincy & Paul Dudley Esq^rs^ with such as shall be joined by the Honble House of Represent^ves^ be a Committee to repair to the Town of Wrentham, & view the said Town, Hear all Parties concerned, & report to this Court at their next May Session What they think proper for the Court to do on this Petition, The Charge of the Committee to be born by the Petitioners.

In the House of Represent^ves^ Read & Concur'd, And

Ordered that Coll. Chandler, Major Tilestown & Mr Josiah Jones be joined in the Affair. [*Passed December 2.*

CHAPTER 310.

RESOLVE ON CPT. JN^O^ LARRABEES ACC^T^ OF ENLISTING SOLDIERS AT CASTLE WILLIAM.

Legislative Records of the Council, xiii., 51.

House Journal, pp. 46, 47. *Ante*, p. 364, chap. 234.

AN ACCOMPT presented by Lieut. John Larrabee of Moneys rec^d^ by Order of the General Court for Enlisting Soldiers at His Maj^tys^ Castle William & of the Disbursem^t^ of the said Money by Way of Bounty to ye Soldiers that enlisted, The Ballance resting in his Hands being Five Pounds ten shillings

[Read, Accepted and]

Resolved that Lieut. John Larrabee be directed to pay the within Ballance to Mr Treasurer Allen, For which he is to give the Province Credit. [*Passed December 2.*

CHAPTER 311.

RESOLVE ALLOWING £4. 1. 5 TO W^M YOUNG.

AN ACCOMPT presented by William Young Glazier of Work done at the Province House, &c, Amounting to the Sum of £5. 15. 5.

Legislative Records of the Council, xiii., 51.

[Read and]

Resolved that the Sum of Four Pounds one shilling & five pence[1] be allowed & paid out of the publick Treasury to the Accomptant William Young in full Discharge of this Accompt, The Article of 34/2, charged for Scouring the Glass is not allowed, as being an improper Charge for the Province. [*Passed December* 2.

House Journal, p. 44.

CHAPTER 312.

RESOLVE ALLOWING £4. 3. 6½ TO SAM^LL STOCKBRIDGE.

A PETITION of Samuel Stockbridge of Scituate Praying that he may be allowed to receive the Sum of Four Pounds three shillings & six pence half peny for one half of what was due to his Servant Titus Moses late a Soldier slain in ye service of ye Province, Notwithstanding the Officer in Making up ye Muster Roll has charged the whole of the Wages as taken up of the Commissary

Legislative Records of the Council, xiii., 51.

House Journal, p. 45.

[Read, Accepted and]

Resolved that the Sum of Four Pounds three shillings & six pence half peny be allowed be allowed[2] & paid out of the publick Treasury to the said Samuel Stockbridge, That being half of ye Wages due for the Service of Titus Moses his Servant, And that the like Sum be stop'd from ye Wages of Coll. Thomas Westbrook in his next Roll to be pass'd by the Court, He having contrary to Law deducted ye Whole of Titus Moses's Wages (being £8. 7. 1) in a Muster Roll made up to Novem^r 1724, Althô said Moses was return'd to him a Servant to said Stockbridge. [*Passed December* 2.

CHAPTER 313.

ORDER ON PETITION OF FRAN. CARY & JN^O TURNER FOR LAYING OUT LANDS.

A PETITION of Francis Cary & John Turner & Hannah his Wife of Bridgewater, Shewing that the General Court of ye late Colony of Plymouth in the Year 1660, Ordered that William Brett & others should have a Competency of Land between Taunton & a Place called Tetticut, & in the Year 1663, granted an Enlargem^t to Taunton, Provided it came not within two Miles of Tetticut, & in 1665, granted to William Brett & others to each of them forty Acres of Land between Taunton & Tetticut, So as that if those Lands should fall within the last Grant to Taunton, It should not make the former Grant void, but that the said Lands should remain to the said William Brett & others their Heirs for ever, That in the Year 1668, a Committee laid out the Lands aforesaid by Order of the said Court, with an Addition to the Lot of William

Legislative Records of the Council, xiii., 51.

Mass. Archives, xlvi., 3–12, 16.

House Journal, pp. 47, 48.

[1] The House Journal reads, £4. 1. 3.
[2] *Sic.*

Brett & some others of about forty Acres to a Lot (as is supposed) for the Poorness of the Land; But by Reason of the Uncertainty of the said Survey & the Length of Time, the Petitioners, (who have the only Right in the said William Bretts Lot,) cannot find out the said Lands, And therefore Praying that this Court would appoint some suitable Persons to lay out to them their Lot afore said in such Lands as are not under any Improvem^t at the Place where the Land was granted at first, or otherwise Order for the Satisfaction of the said Grant to the Petitioners.

Which Petition being Read in both Houses the following Order pass'd thereon; Viz.

Ordered that the Petitioners serve the Proprietors of Taunton with a Copy of this Petition, That so they give in their Answer (If they see Cause,) on the second Friday of the next May Session And that the Consideration of the Petition be referred to the next May Sessions accordingly. [*Passed December 2.*

CHAPTER 314.

RESOLVE GRANTING TO SARAH SCALES WAGES OF HER LATE HUSBAND SLAIN IN THE SERVICE.

Legislative Records of the Council, xiii., 53.

House Journal, p. 47.

A PETITION of Sarah Scales Widow, Praying that she may be allowed to receive what Money is due to her Dec^d Husband Matthew Scales, who was slain by the Indian Enemy the last Spring & has left five small Children & the Petitioner is destitute of any Means for their Support, And likewise Praying for some thing for her Relief.

Read & IN Answer to this Petition,

Resolved that the Petitioner or her Order be allowed & impowered to receive out of the publick Treasury what Money was due to her Dec^d Husband from the Province at the Time of his being slain, And that the Treasurer be directed to pay the same accordingly, And further that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Maj^r Samuel Moodey to be by him paid to the Petitioner for her Support & her Children in Consideration of their great Loss. [*Passed December 2.*

CHAPTER 315.

RESOLVE ALLOWING £23. 6. 8 TO COLL. JOHNSON HARMANS ACC^T.

Legislative Records of the Council, xiii., 53.

House Journal, p. 48.

AN ACCOMPT presented by Coll. Johnson Harman of the Hire of his Sloop for ye publick Service, & Oars by him supplied the Province Whale Boats Amounting in the Whole to the Sum of £23. 6. 8.

[Read Accepted and]

Resolved that the Sum of Twenty three Pounds six shillings & eight pence be allowed & paid out of the publick Treasury to Coll. Johnson Harman in full Discharge thereof. [*Passed December 2.*

CHAPTER 316.

ORDER GRANTING THOMAS SNELL POWER TO BRING FORWARD AN APPEAL.

A PETITION of Thomas Snell of Mansfield in ye Colony of Connecticut, Praying the Authority of this Court to impower him to bring forward an Appeal to the Govern^r & Council from a Decree of the Judge of Probate for the County of Plymouth Approving & Allowing a pretended Will of his late Father Thomas Snell of Bridgewater Dec^d He having moved the said Judge to admit his Appeal, but was denied, because it was not claimed within six Months after Passing the said Decree, Although he was out of the Province & ignorant of the Law

Legislative Records of the Council, xiii., 52.

House Journal, p. 52.

Read &

Ordered that the Prayer of this Petition be granted, And that the Judge of Probates for ye County of Plymouth be Directed to allow the Petitioner an Appeal accordingly, Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed December 3.*

CHAPTER 317.

ORDER GRANTING ROBERT HARRIS'S PETITION FOR RE-ENTRY OF ACTION AND SUPERSEDING JUDGMENT AND EXECUTION.

A PETITION of Robert Harris of Boston Mariner, Shewing that one Nathaniel Gardner of Sherburn on Nantucket in Septem^r last brought his Action against the Petitioner at the Inferiour Court held at Sherburn aforesaid, where Judgem^t went against him by Default, though he was out of the Province at the Time of the Service of the Writ, & did not return into the Province till the said Court was over, Praying that he may be enabled to Re-enter the said Action at the next Inferiour Court for the said Island Giving the said Gardner proper & seasonable Notice thereof, And that the said Judgement & the Execution thereon may be suspended.

Legislative Records of the Council, xiii., 53.

House Journal, p. 50.

In Council; Read &

Ordered that the Prayer of ye Petition be granted.

In the House of Represent^ves Read & Concur'd, And that the Petition^r have Leave to Re-enter the said Action at the next Inferiour Court of Common Pleas to be Held in & for the County of Nantucket, That He give due Notice thereof to the said Nathaniel Gardner, And that the afore said Judgem^t & Execution thereon shall be superseded accordingly; Any Law Usage or Custom to the Contrary Notwithstanding.

In Council; Read & Concur'd. [*Passed December 3.*

CHAPTER 318.

RESOLVE ALLOWING 40/ TO RICH^D HUNT.

A PETITION of Richard Hunt of Boston, Praying for some further Allowance for his Horse wounded by the Indians the last Spring, He being put to further Charge for his Cure.

Legislative Records of the Council, xiii., 54.

House Journal, p. 52.

Read &

Ante, p. 629, chap. 136.

Resolved that the Sum of Forty Shillings be allowed & paid out of the publick Treasury to Richard Hunt in Satisfaction of the Damage he sustained by Reason of his Horse being wounded as within mentioned. [*Passed December 3.*

CHAPTER 319.

ORDER ACCEPTING REPORT ON Y^E OLD COLONY LINE TO BRIDGEWATER ROAD.

Legislative Records of the Council, xiii., 55.

House Journal, p. 38. *Ante*, p. 303, chap. 37.

PURSUANT to the Order of the Great & General Court at their Session in May 1723, Directing me the Subscriber to run & mark out the old Colony Line from Accord Pond to the Heap of Stones & Stake standing or being near the Road that leads to Brantree from Bridgewater,[1] In Obedience to the said Order upon the twelfth of July 1725, I entered upon that Service, and ran that Part of the said Line as I was directed from the Heap of Stones & Stake abovesaid until it came to Intersection of Weymouth Line with the Colony Line; The said Line runs East North East by the Needle; And I mark'd many Trees standing in the same with an X on the East & West Sides of them.

SAM^LL THAXTER.

Read &

Ordered that this Report be Accepted. [*Passed December 3.*

CHAPTER 320.

VOTE ON Y^E PETITION OF PLYMOUTH SOUTH INHABITANTS IN REGARD TO A SCHOOL.

Legislative Records of the Council, xiii., 12, 55.

House Journal, pp. 10, 42. *Ante*, p. 680, chap. 286.

A PETITION of Ebenezer Holmes Samuel Ellis, & others Inhabitants of the South Part of Plimouth, Praying that their Proportion of the Interest Money produced by Sale of the Common Lands in the said Town may be allowed the Petitioners towards the Maintenance of a Reading & Writing School to be kept in their Part of the said Town, the said Lands having been appropriated for the Use of the School.

Voted that the Consideration of this Petition be refer'd to the next May Sessions, When the Report is to be made by the Committee on the Petition of the North Part of Plymouth. [*Passed December 3.*

CHAPTER 321.

RESOLVE ALLOWING £3. 16 TO EBEN^R KINSLEY.

Legislative Records of the Council, xiii., 56.

House Journal, p. 51.

Resolved that the Sum of Three Pounds sixteen shillings be allowed & paid out of the publick Treasury to John Stoddard Esqr to be by him paid to Ebenezer Kinsley of Northampton for his Service in Attending on the Commission^rs lately sent to Canada; W^ch was before casually omitted. [*Passed December 3.*

[1] *Sic.*

CHAPTER 322.

RESOLVE ALLOWING £10. 4. 6 TO EUNICE WHITE.

A PETITION of Eunice White Relict Widow of Cpt. John White Praying that the Sum of Ten Pounds four shillings & six pence may be allowed her out of the publick Treasury for so much Charges arising by the last Sickness of her late Husband, Which he contracted in the Service of the Province

Legislative Records of the Council, xiii., 56.

House Journal, p. 53.

Read &

Resolved that the Sum of Ten Pounds four shillings & six pence be allowed & paid out of ye publick Treasury to Mr Joseph Wilder in Answer to this Petition, to be by him paid to the Person to whom it is due to discharge the Articles in the Acc^t^ to the Petition annexed. [*Passed December 3.*

CHAPTER 323.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP MERRY MEETING CPT. SAUNDERS.

A MUSTER ROLL of the Sloop Merry Meeting a Transport in His Majestys Service Cpt. Thomas Saunders Master, Containing an Accompt of Wages due to the said Master & Company from June 12th to Nov. 26th 1725, & ye Hire of the said Sloop, Amounting to the Sum of £210. 18.

Legislative Records of the Council, xiii., 56.

House Journal, p. 48.

[Read Accepted and]

Resolved that the Sum of Two Hundred & ten Pounds eighteen shillings be allowed & paid out of ye publick Treasury to ye said Thomas Saunders to be by him paid to the several Persons born on this Roll, & for Hire of the s^d^ Sloop in full Discharge thereof. [*Passed December 4.*

CHAPTER 324.

RESOLVE ALLOWING PAYMENT OF L^T^ TIM^O^ CHILDS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Westward under the Command of Lieut. Timothy Child, Containing an Acc^t^ of Wages due to them for their Service from May 19th to Nov. 16. 1725, together with their Subsistence the said Time, Amounting to the Sum of £583. 14. 11.

Legislative Records of the Council, xiii., 56. Mass. Archives, xci., 228.

Mass. Archives, xci., 227. House Journal, p. 42.

Read and Accepted and

Resolved That the Sum of Five Hundred, and Eighty three pounds, fourteen shillings and Eleven pence be allowed and paid out of the publick Treasury to the said Liev^t^ Timothy Childs to be by him paid to the respective Officers and soldiers born on the within Roll and the persons that subsisted them in full discharge of the Wages and Subsistence thereof. [*Passed December 4.*

CHAPTER 325.

RESOLVE ALLOWING PAYMENT ON THE MUSTER ROLL OF THE GARRISON AT S^T GEORGES RIVER.

Legislative Records of the Council, xiii., 57. Mass. Archives, xci., 224.

Mass. Archives, xci., 223. House Journal, p. 51.

A MUSTER ROLL of the Garrison in His Majestys Service at the Block House on St Georges River, under the Command of Cpt. William Kennedy[1] Containing an Accompt of Wages due to them for their Service from Nov. 21. 1724, to Nov. 22. 1725, Amounting to the Sum of £397. 19. 8.

Read and Accepted and

Resolved That the Sum of Three Hundred Eighty Four pounds and One penny be allowed and paid out of the publick Treasury to the Officers and Soldiers born on the within Roll to whom the same is respectively due in full discharge of the above Accompt agreable to the said Report. [*Passed December 4.*

CHAPTER 326.

RESOLVE ALLOWING £3. 15 TO L^T TIM^O CHILD.

Legislative Records of the Council, xiii., 57. Mass. Archives, xci., 226.

Mass. Archives, xci., 225. House Journal, p. 42.

AN ACCOMPT presented by Lieut. Timothy Child, of Posts sent in ye publick Service, & Expences on a sick Soldier, Amounting to the Sum of £3. 15.

Read & accepted And

Resolved That the Sum of Three pounds fifteen shillings be allowed and paid out of the publick Treasury to Liev^t Timothy Childs to be by him paid to the persons to whom the same is due in full Discharge thereof. [*Passed December 4.*

CHAPTER 327.

RESOLVE ALLOWING £10 19. 2 TO JOS. MAYLEM.

Legislative Records of the Council, xiii., 57.

House Journal, p. 27.

AN ACCOMPT presented by Joseph Maylem of Lodging & Diet for Capt. Samuel Jordan & Cpt. Joseph Bane Interpreters & three Indians, by Order of the Government, Amounting to the Sum of £10. 19. 2.

[Read and]

Resolved that the Sum of Ten Pounds nineteen shillings & two pence be allowed & paid out of the publick Treasury to ye Accomptant Joseph Maylem in full Discharge thereof. [*Passed December 4.*

CHAPTER 328.

RESOLVE ALLOWING £2. 6 TO COLL. ELEA. TYNG.

Legislative Records of the Council, xiii., 57.

AN ACCOMPT presented by Coll. Eleazar Tyng of the Charge of Burying Christian (a Maqua) who died at his House, Amounting to the Sum of £3.

[1] The House Journal reads, "Canada."

[Read, Accepted and]
Resolved that the Sum of Two Pounds six shillings be allowed & paid out of the publick Treasury to Coll. Eleazar Tyng in full Discharge of the within Accompt. [*Passed December 4.*

House Journal, p. 53.

CHAPTER 329.

RESOLVE ALLOWING £15 TO HUGH PIKE.

A PETITION of Hugh Pike, Praying some further Allowance out of the publick Treasury in Consideration of the Wounds he received in the publick Service against the Indian Enemy, The said Wounds growing worse & he being thereby disabled from Labouring for his own Support.

Legislative Records of the Council, xiii., 57.

House Journal, p. 51.

Read [Accepted] &
Resolved that the Sum of Fifteen Pounds be allowed & paid out of ye publick Treasury to the Petitioner Hugh Pike in Consideration of ye Wounds he formerly received in ye Service of the Province. [*Passed December 4.*

CHAPTER 330.

ORDER FOR ADVANCING £100 TO CPT. TIM^O DWIGHT.

A MEMORIAL of Cpt. Timothy Dwight Proposing that Three Hundred Pounds may be advanced to him out of the publick Treasury for Victualling the Garrison at Fort Dummer under his Command, Provisions being to be purchased in Hampshire only in ye Winter, The Memorialist to give Security for ye said Money

Legislative Records of the Council, xiii., 57.

House Journal, p. 88.

Read &
Resolved that Mr Treas^r Allen be & hereby is Ordered & Directed to pay & advance to Cpt. Timothy Dwight the Sum of One Hundred Pounds to enable him to purchase Provisions for Subsisting the Forces at Fort Dummer, PROVIDED the said Cpt. Dwight give sufficient Security to Mr Treasurer for Accompting for the Disposition of the said Money. [*Passed December 4.*[1]

CHAPTER 331.

RESOLVE ALLOWING £39 TO M^R JON^A PIERPOINT.

AN ACCOMPT presented by Mr Jonathan Pierpoint of Wages due to him for his Service as Chaplain to the Eastern Forces under ye Command of Coll. Thomas Westbrook from June 4th to Dec. 3. 1725, Amounting to ye Sum of £39.

Legislative Records of the Council, xiii., 58.

House Journal, p. 53.

[Read and]
Resolved that the Sum of Thirty nine Pounds be allowed & paid out of the publick Treasury to Mr Jonathan Pierpoint in full Discharge of this Accompt. [*Passed December 4.*

[1] In Executive Records of the Council, viii., 133, the warrant appears under date of December 12, 1725. This indicates a mistake in the House Journal (p. 88), which gives the action in the House as of December 22d.

CHAPTER 332.

RESOLVE ALLOWING £66. 17. 3 TO JN^O STODDARD & JN^O WAINWRIGHT ESQ^RS.

Legislative Records of the Council, xiii., 58.

House Journal, p. 53.

AN ACCOMPT presented by John Stoddard & John Wainwright Esq^rs for their Time & Expences in a Voyage to the Eastward in the publick Service the last Summer, Amounting to the Sum of £86. 17. 3 Ballance £66. 17. 3.

[Read and]

Resolved that the Sum of Sixty six Pounds seventeen shillings & three pence be allowed & paid out of the publick Treasury to the said John Stoddard & John Wainwright Esq^rs in full Discharge of the said Acc^t The Sum of Twenty Pounds being already paid them. [*Passed December 4.*

CHAPTER 333.

RESOLVE ALLOWING £48. 8 FOR REPAIRS AT CASTLE WILLIAM.

Legislative Records of the Council, xiii., 58.

House Journal, p. 53.

AN ACCOMPT presented by Lt John Larrabee of sundry Repairs at His Majestys Castle William, Amounting to the Sum of £48. 8.

[Read, Accepted and]

Resolved that the Sum of Forty eight Pounds eight shillings be allowed & paid out of the publick Treasury to Lieut. John Larrabee, to be by him paid to the Persons to whom the same is respectively due, in full Discharge of the within Accompt. [*Passed December 4.*

CHAPTER 334.

ORDER CONTINUING THE HEARING ON THE PETITION OF THE INHAB^TS OF WAMESECK PURCHASE.

Legislative Records of the Council, xiii., 59.

House Journal, p. 50.

A PETITION of Jonathan Bowers, Samuel Hunt & divers others Dwellers on the Land called Wameseck Purchase & Winthrops Farm, wch Lands ly adjacent to Billerica, between Pantucket & Chelmsford Line, Praying for Reasons therein assigned to be erected into a separate & distinct Town.

Read &

REFER'D to the next May Session for further Consideration. And that in the mean Time the Petitioners notify the Town of Billerica of this Petition, And that they then shew Cause, If any they have, Why the Prayer of the Petition should not be granted. [*Passed December 4.*

CHAPTER 335.

RESOLVE ALLOWING £11. 11. 5 TO JOS. AVERIL.

Legislative Records of the Council, xiii., 59.

House Journal, p. 51.

A PETITION of Joseph Averil, Praying to be allowed his Wages due for his Service as a Soldier in Coll. Edmund Goffes Company from July to January 1721, he being casually left out of the Roll upon Making it up.

Read [accepted] &

Resolved that the Sum of Eleven Pounds eleven shillings & five pence be allowed & paid out of the publick Treasury to the Petitioner Joseph Averil in Consideration of his Service under Coll. Edmund Goffe from July 27th to January 25. 1721, For which Time he hath not been entered on any Roll. [*Passed December 4.*

CHAPTER 336.

RESOLVE ALLOWING £57. 19. 8 TO CPT. THO. SMITH.

AN ACCOMPT presented by Cpt. Thomas Smith of his Time & Expence in his Voyage to the Eastward, to meet with & conduct the Indian Delegates to Boston, Amounting to the Sum of £57. 19. 8.

Legislative Records of the Council, xiii., 59.

[Read Accepted and]

Resolved that the Sum of Fifty seven Pounds nineteen shillings & eight pence[1] be allowed & paid out of the publick Treasury to Cpt. Thomas Smith in full Discharge of said Accompt. [*Passed December 6.*

Mass. Archives, lii., 252, 253, 297. House Journal, p. 51.

CHAPTER 337.

RESOLVE ALLOWING PAYMENT ON CPT. PETER OLIVERS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Peter Oliver, Containing an Acct of Wages due to them for their Service from June 14. to Nov. 28. 1725, Amountg to ye Sum of £382. 6.

Legislative Records of the Council, xiii., 60. Mass. Archives, xci., 235.

Read and Accepted and

Resolved That the Sum of Three Hundred & seventy Four pounds, Six shillings be allowed and paid out of the publick Treasury to the Officers and Soldiers born on the within Roll to whom the same is respectively due agreable to the above in full discharge of the Wages thereof. [*Passed December 6.*

Mass. Archives, xci., 233, 234. House Journal, p. 54.

CHAPTER 338.

ORDER ABOUT YE DUPLICATE OF RECORDS.

A MEMORIAL of Josiah Willard Esqr Shewing that He has perfected a Duplicate of the Records of the General Assembly to the Time, Excepting the Examining of two or three of the Books, So that they will be soon ready for the Order of this Court as to the safe Keeping of them, And Praying further Directions as to this Continuation of this Work.

Legislative Records of the Council, xiii., 61.

Read &

Ordered that Mr Secretary Willard be & hereby is Impowered & Directed to make out a Duplicate of the Records of this Court to this Time, to be lodged as this Court shall Order. [*Passed December 7.*

House Journal, p. 56. *Ante*, p. 662, chap. 238.

[1] The House Journal reads, £57. 9. 8.

CHAPTER 339.

RESOLVE ALLOWING PAYMENT OF CPT. SAM^LL HINKES'S MUSTER ROLL.

Legislative Records of the Council, xiii., 62.

House Journal, p. 54.

A MUSTER ROLL of the Garrison at His Majestys Fort Mary at Winter Harbour under the Command of Cpt. Samuel Hinkes Containing an Accompt of Wages due to them for their Service from June 2^d to Novem^r 30. 1725. Amounting to the Sum of £138. 11. 7 together with an Accompt of Fire Wood supplied said Garrison, Amounting £9. 12. 6 & an Acc^t of Disbursements for Oyl Candles &c supplied, Amounting to £2. 9.

[Read Accepted and]

Resolved that the Sum of One Hundred & thirty eight Pounds eleven shillings & seven pence be allowed & paid out of the publick Treasury to Cpt. Samuel Hinkes to be by him paid to the Officers & Soldiers born on the within Roll to whom the same is due in full Discharge of ye Wages thereof, And that the further Sum of Twelve Pounds be allowed & paid out of ye publick Treasury to the said Samuel Hinkes in full of the Acc^t of Wooding the said Fort, & his Accompt of Disbursements within written. [*Passed December 8.*

CHAPTER 340.

ORDER ON WATERS & BETHUNS PETITION FOR CUTTING OFF AN ENTAIL.

Legislative Records of the Council, xiii., 63.

House Journal, p. 61.

A PETITION of Latimer Waters, George Bethuen & Mary his Wife (Which said Latimer & Mary are the only Children of Elisabeth Waters Dec^d who was the Daughter of Christopher Latimer late of Marblehead Dec^d) Ann Pedrick widow of Norden Pedrick & guardian to his three Children & Mary Pedrick (wch said Norden & Mary Pedrick were the Children of Susannah Pedrick Dec^d the other Daughter of the said Christopher Latimer) Shewing that the said Christopher Latimer in & by his last Will & Testament, gave his Housing & Lands to his three Daughters Jane Norden, Elisabeth Waters & Susannah Pedrick, to be equally divided Part & Part alike, to them & the Heirs of their Body in Fee Tail for Ever, That the said Place consisteth of several Pieces of Land in Marblehead, which are uncapable of being Divided without Spoiling the Whole, & at present fetches Nothing at all, Praying that the said Entail may be cutt off, And that they may be allowed to sell their Right, & that the Purchasers may hold the same in Fee Simple.

Read & IN Answer to the Petition of Latimer Waters, George Bethuen & others; It is

Ordered that the Part or Proportion of Ann Pedrick (one of the Petitioners) in the Estate of her late Husbands Grand father Christopher Latimer Dec^d be apprized by Persons upon Oath to be appointed by the Judge of Probate for the County of Essex, And that she be fully Impowered to pass an absolute Deed for the same unto Latimer Waters & George Bethuen, If they see Cause to Accept the same, But if they refuse, then to the highest Bidder, And upon the sale thereof, the Money to be put out to Interest upon good Security, The Annual Income whereof to be Improved by the said Ann Pedrick for the necessary Support of her self & her three Children, The said Ann giving Security to the Judge of Probate afore said, That the Principal shall be paid to the Children of the said Norden Pedrick in Proportion as the Law directs, as they arrive at full Age, or are married, The said Ann to have no

Power of Lessening the Principal without Special Leave obtained from the Governour & Council; And it is further

Ordered that the Judge of Probate for the said County of Essex be Impowered to make out a Warrant to five Free Holders as the Law directs to make an equal Division of the Remainder of the Estate of the said Christopher Latimer Deceased & Entailed by his Will, into such Parts & Parcels, as that the Rest of the Petitioners may know & the better Improve the respective & separate Parts of the said Estate. [*Passed December 8.*

CHAPTER 341.

RESOLVE ALLOWING £10 TO MR DAVID PARSONS.

A PETITION of David Parsons of Leicester Clerk, Setting forth the Shortness of his Maintenance from ye said Town, they being much impoverished by the Indian War, so that the Petitioner has been obliged to sell his Lands for ye necessary Support of his Family Praying some Consideration from this Court

Read & IN Answer to this Petition,

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to the Petitioner, the better to enable him to carry on the Work of the Ministry & support his Family in Leicester. [*Passed December 8.*

Legislative Records of the Council, xiii., 63.

Mass. Archives, lxxii., 240. House Journal, p. 58.

CHAPTER 342.

RESOLVE ALLOWING £8. 4 TO EPHR. AYERS.

A PETITION of Ephraim Ayers Shewing that Lieut. John Lane (in whose Company he served as a Soldier) compel'd him to sign an Order on the Treasurer to pay his Wages to the said Lane, Wch he afterwards forbad, but too late, Lane having recd the Money & converted it to his own Use, Praying that the said Wages may be allowed him out of ye publick Treasury.

Read [Accepted] &

Resolved that the Sum of Eight Pounds four shillings be allowed & paid out of the publick Treasury to the said Ephraim Ayers for so much due to him for his Service while under said Lanes Command. [*Passed December 8.*

Legislative Records of the Council, xiii., 64.

House Journal, p. 55. *Ante*, p. 608, chap. 87.

CHAPTER 343.

RESOLVE ALLOWING £5. 10 TO CPT. JOS. BANE.

A PETITION of Cpt. Joseph Bane, Praying an Allowance for his great Trouble & Fatigue in his several Messages & Attendance on the Eastern Indians in the Conferences with them in March last, and the necessary Expences he has been put to by Reason thereof.

Read [accepted] &

Resolved that the Sum of Five Pounds ten shillings be allowed & paid out of the publick Treasury to Lieut. Joseph Bane in Consideration of his Expence in the Service of the Province as within mentioned. [*Passed December 8.*

Legislative Records of the Council, xiii., 64.

Mass. Archives, lii., 145. House Journal, p. 56.

CHAPTER 344.

RESOLVE ALLOWING £10. 10 TO JA. SMITH AND £8. 19 TO NATH^L CHAPMAN.

Legislative Records of the Council, xiii., 64.

House Journal, p. 55. *Ante*, p. 667, chap. 252.

A PETITION of James Smith & Nathaniel Chapman Soldiers in the Company of Lieut. John Lane, Shewing that the said Lane compel'd the Petitioners to sign an Order on the Treasurer to pay their Wages to him, Which they afterwards forbad, but too late, The said Lane having received their Money and converted it to his own Use, And therefore Praying that this Court would please to Order them their several Wages out of the publick Treasury.

Read [Accepted] &

Resolved that the Sum of Ten Pounds & ten shillings be allowed & paid out of the publick Treasury to James Smith or his Order, and the further Sum of Eight Pounds nineteen shillings be allowed & paid out of the publick Treasury to Nathaniel Chapman or his Order, Being so much respectively due to them for their Wages in ye Service of this Province while under the Command of Lieut. John Lane. [*Passed December 8.*

CHAPTER 345.

RESOLVE ALLOWING PAYMENT ON COLL. EDM^D GOFFES MUSTER ROLL.

Legislative Records of the Council, xiii., 65. Mass. Archives, xci., 129.

Mass. Archives, xci., 128. House Journal, p. 56.

A MUSTER ROLL of the Detachment of Troopers in His Majestys Service on the Western Frontiers under the Command of Coll. Edmund Goffe, Containing an Acc^t of Wages due to them for their Service from the 21st of July to the 16th of Novem^r 1725, together with their Subsistence & the Hire and Forrage of their Horses, Amounting to the Sum of £201. 0. 6.

Read and Accepted and

Resolved That the Sum of One Hundred Eighty Four pounds, ten shillings and ten pence be allowed and paid out of the publick Treasury to thesaid Col^o Edmund Goffe to be by him paid to the persons to whom the Same is respectively due in full Discharge thereof Agreable to the above report first deducting what has been already Advanced or supplyed to the said Goffe towards the Wages and subsistence due on this Roll. [*Passed December 8.*

CHAPTER 346.

RESOLVE ALLOWING 40/ EACH TO BENJAMIN JOHNSON & SAMUEL PIERCE.

Legislative Records of the Council, xiii., 65.

House Journal, p. 56.

A PETITION of Benjamin Johnson & Samuel Pierce Praying an Allowance for subsisting two of Cpt. Lovewells Men, who were wounded at Pigwacket.

Read &

Resolved that the Sum of Four Pounds, viz, Forty shillings each be allowed & paid out of the publick Treasury to Mr Daniel Pierce for ye Use of the Petition^rs in Answer to this Petition. [*Passed December 8.*

CHAPTER 347.

RESOLVE ALLOWING £9. 1. 9 TO CPT. THO. WELLS.

AN ACCOMPT presented by Cpt. Thomas Wells of the Subsistence of divers Connecticut Soldiers at Deerfield, Amounting to the Sum of £9. 1. 9.

Legislative Records of the Council, xiii., 65.

[Read and]

House Journal, p. 58.

Resolved that the Sum of Nine Pounds one shilling & nine pence be allowed & paid out of the publick Treasury to Cpt. Thomas Wells in full Discharge of the within Accompt. [*Passed December 8.*

CHAPTER 348.

ORDER ON DR FRANC. ARCHIBALDS PETITION GRANTING POWER TO REMOVE AN INCUMBRANCE ON LAND.

A PETITION of Francis Archibald of Boston Physician Administr de Bonis Non of Daniel Royse Decd Praying to be impowered to take off the Incumbrance on a House & Land formerly belonging to Edward Willis, now the Estate of Adam Winthrop Esqr by Transferring ye Interest belonging to the Estate of the said Daniel Royse in a Bond entered into by Coll. Samuel Vetch & Mr John Borland to the said Adam Winthrop.

Legislative Records of the Council, xiii., 65.

House Journal, pp. 56, 57.

Read &

Ordered that the Petitioner be & hereby is impowered to take off the Incumbrance on the Premisses in the Petition mentioned by Transferring the Interest which belonged to the Estate of the said Daniel Royse by Vertue of the said Execution to Adam Winthrop Esqr the Assignee of Coll. Vetch, That so the Money due on the Bond from him & Mr Borland may be paid unto those, to whom it belongs by Law. [*Passed December 8.*

CHAPTER 349.

RESOLVE ALLOWING PAYMENT ON CPT. SAMLL WRIGHTS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Westward under the Command of Cpt. Samuel Wright Containing an Accompt of Wages due to them for their Service from June 10th to Novemr 18. 1725, together with their Subsistence, Amounting to the Sum of £265. 12. 10.

Legislative Records of the Council, xiii., 66.

House Journal, pp. 37, 60.

[Read Accepted and]

Resolved that the Sum of Two Hundred & twenty seven Pounds one shilling & six pence be allowed & paid out of ye publick Treasury to Cpt. Samuel Wright to be by him paid to the Officers & Soldiers & Persons that subsisted the Men born on the Roll in full Discharge of the Wages & Subsistence thereof; And

Resolved that one Months Wages & Subsistence, Amounting to Three Pounds four shillings be deducted from Enoch Southwell for his Absence, And that the remaining Sum; Viz, Twenty three Pounds eighteen shillings & nine pence, be allowed & paid out of the publick

Treasury for the Wages & Subsistence of the four Men at Mr Parsons's at Leicester to Cpt. Samuel Wright to be by him paid to the Men respectively & the Persons that subsisted them in Full. [*Passed December 9.*

CHAPTER 350.

RESOLVE ALLOWING PAYMENT ON COLL. JOHNSON HARMANS MUSTER ROLL.

Legislative Records of the Council, xiii., 66.

House Journal, p. 59. *Infra*, chap. 351.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Coll. Johnson Harman, Containing an Accompt of Wages due to them for their Service from the 2d of June to the 23d of Novemr 1725, Amounting to the Sum of £580. 3. 7.

[Read Accepted and]

Resolved that the Sum of Four Hundred ninety four Pounds nine shillings & ten pence be allowed & paid out of the publick Treasury to the Officers & Soldiers born on this Roll, to whom the same is respectively due (Agreable to the Committees Report) in full Discharge of the Wages thereof, The Sum of Thirty Pounds seventeen shillings & eight pence being stop'd out of Coll. Harmans Wages till he can make it appear he has paid the like Sum to Joseph Cross for so much he received of the said Crosses Wages. [*Passed December 9.*

CHAPTER 351.

RESOLVE ALLOWING £50. 2. 6 TO COLL. JOHNSON HARMAN.

Legislative Records of the Council, xiii., 67.

Mass. Archives, lii., 264, 269. House Journal, p. 60. *Ante*, p. 635, chap. 158. *Supra*, chap. 350.

A PETITION of Coll. Johnson Harman Shewing that whereas this Court were pleased at their last Session to stop Part of the Wages of the Petitioner & his Servant upon the Accompt of some Complaints exhibited agst him by Holman & Cross two Soldiers in his Company, he has fully answered the said Complaints, Therefore Praying that his said Wages may be paid to him & no longer stop'd in the Treasury.

Read & THE House being satisfied that the two Complainants against Coll. Harman, viz, Holman & Cross have recd their Wages;

Resolved that the Sum of Fifty Pounds two shillings & six pence, be no longer detained but allowed & paid out of the publick Treasury to Coll. Johnson Harman, being for one Half & the full Remainder of his own Wages & ye Wages of Thomas Varrel & Thomas Black stop'd in the aforesd Roll & is in full Discharge, of ye Wages thereof & in Answer to this Petition. [*Passed December 9.*

CHAPTER 352.

RESOLVE ALLOWING £15 TO LT JOS. DIMMOCK.

Legislative Records of the Council, xiii., 67.

House Journal, p. 63.

A PETITION of Lieut. Joseph Dimmock, Shewing that his Wounds received at the Fight at Norridgewock are not like to be cured, but in all Probability he will remain a Cripple to the Day of his Death, And therefore Praying for some further Allowance for his Support.

Read [accepted] &

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the publick Treasury to the Petitioner Lieut. Joseph Dimmock in Answer to his Petition. [*Passed December 9.*

CHAPTER 353.

RESOLVE ALLOWING £11. 4. 11 TO JOHN WAINWRIGHT ESQR.

AN ACCOMPT presented by John Wainwright Esqr of the Charge of Taking Saccorikis & an other Indian that made their Escape, & Bringing them back to Boston, Amounting to the Sum of £11. 4. 11.

Legislative Records of the Council, xiii., 67.

[Read Accepted and]

House Journal, pp. 51, 63.

Resolved that the Sum of Eleven Pounds four shillings & eleven pence be allowed & paid out of the publick Treasury to John Wainwright Esqr[1] to be by him paid to the Persons to whom the same is respectively due in full Discharge of the within Acct. [*Passed December 9.*

CHAPTER 354.

RESOLVE ALLOWING £5. 5 TO CPT. SAMLL JORDAN.

AN ACCOMPT presented by Cpt. Samuel Jordan, of Horse Hire & Expences to Boston to meet ye Indian Delegates, Amounting to ye Sum of £5. 5.

Legislative Records of the Council, xiii., 67.

[Read and]

Mass. Archives, lii., 250. House Journal, p. 59.

Resolved that the Sum of Five Pounds & five shillings be allowed & paid out of the publick Treasury to ye Accomptant Cpt. Samuel Jordan in full Discharge of the said Accompt. [*Passed December 9.*

CHAPTER 355.

RESOLVE ALLOWING 20/ TO JNO DEAN.

A MEMORIAL of John Dean of Woburn, Shewing that he has served as a Sergeant under Coll. Eleazar Tyng the last Summer, but in Making up the Roll, he carried out only Centinels Wages, Praying that this Court would allow him what is wanting to make up Sergeants Wages for his Service.

Legislative Records of the Council, xiii., 67.

House Journal, p. 59.

Read & IN Answer to this Petition,

Resolved that the Sum of Twenty shillings be allowed and paid of the publick Treasury to the said John Dean or his Order in Consideration of the Services within mentioned. [*Passed December 9.*

[1] According to the House Journal, p. 51, this amount was for account of Edward Eveleth.

CHAPTER 356.

ORDER FOR A TOWN MEETING AT METHUEN.

Legislative Records of the Council, xiii., 68.

House Journal, p. 65.

Ordered that Mr Stephen Barker, a principal Inhabitant of the Town of Methuen be & hereby is impowered & directed to notify & summon the Inhabitants of the said Town, to assemble & meet some time in the Month of March next to chuse Town Officers according to Law to stand for the Year. [*Passed December 9.*

CHAPTER 357.

RESOLVE ALLOWING £17. 0. 6 TO SAMUEL TYLEY AND BENJAMIN ROLFE.

Legislative Records of the Council, xiii., 68.

House Journal, pp. 47, 63.

A MEMORIAL of Samuel Tyley & Benjamin Rolfe Clerks of His Majestys Superiour Court of Judicature, Shewing that the Memorialists & other Officers of the said Court have performed several publick Services as will appear by the annexed Accompt, for which they have not been paid out of the County Treasurys as formerly, some Doubt being made in the House of Representves in the Year 1721,[1] Whether the Law doth Authorize the Justices of the Counties in General Sessions to Order Payment of such Charges; But for as much as the Petitioners have Fifty Pounds in their Hands being the Forfeiture of a Recognizance to the King recovered against Joshua Booth, Praying that the Justices of the said Superiour Court may be impowered to inspect the said Accompt & make such Allowance to the Memorialists & the other Officers as they shall think just, Or otherwise that this Court would please to allow the said Accompt or so much of it as they shall think reasonable to be deducted out of the said Fifty Pounds

Read [Accepted] &

Resolved that the Sum of Seventeen Pounds & six pence be allowed & paid out of the publick Treasury to the said Samuel Tyley & Benjamin Rolfe in full of their Acct upon their Paying the within mentioned Fifty Pounds into the Treasury.[2] [*Passed December 9.*

CHAPTER 358.

RESOLVE ALLOWING £30. 17. 8 TO COL. JOHNSON HARMAN.

Legislative Records of the Council, xiii., 69.

House Journal, p. 63.

Ante, p. 702, chap. 350.

A RECEIPT being laid on the Table sign'd Joseph Cross for Thirty Pounds seventeen shillings he received of Coll. Johnson Harman for so much the said Harman received of the Treasurer as Wages due to the said Cross, For which an Estople is laid on Coll. Harmans Wages conditionally;

[Read and]

Resolved that the said Sum of Thirty Pounds seventeen shillings & eight pence be no longer stop'd from the said Coll. Harman, but that the Treasurer be directed to pay it him, being stop'd from his Wages on his Muster Roll presented to the Court in their present Session. [*Passed December 9.*

[1] No record of this appears.

[2] The House Journal adds after Treasury, "agreable to the above Report."

CHAPTER 359.

RESOLVE ALLOWING £14. 15. 11 TO CPT. JN° PENHALLOW.

AN ACCOMPT presented by Cpt. John Penhallow of Disbursem^ts for sundry things necessary for ye publick Service, Amounting to ye Sum of £14. 15. 11.

[Read Accepted and]

Resolved that the Sum of Fourteen Pounds fifteen shillings & eleven pence be allowed & paid out of the publick Treasury to Cpt. John Penhallow in full Discharge of this Accompt. [*Passed December 9.*

Legislative Records of the Council, xiii., 69.

House Journal, p. 63.

CHAPTER 360.

RESOLVE ALLOWING £23. 17 TO TIM° CHILD.

A PETITION of Lieut. Timothy Child, Praying the Allowance of an Accompt of sundry Disbursem^ts for the publick Service presented the last Session & likewise an Accompt herewith presented of Carting & Transporting Provisions to Fort Dummer, Sending Expresses &c.

Read [Accepted] &

Resolved that the Sum of Twenty three Pounds seventeen shillings be allowed & paid out of the publick Treasury to Lieut. Timothy Child in full of ye two Acc^ts within mention'd. [*Passed December 9.*

Legislative Records of the Council, xiii., 69.

House Journal, pp. 69 (June); 59, 60. *Ante*, p. 647, chap. 193.

CHAPTER 361.

RESOLVE ALLOWING £25. 9 TO D^R SOL. BACON.

A PETITION of Solomon Bacon Praying that he may be allowed the Sum of Thirty four Pounds eleven shillings for his Service as Surgeon of the Forces Eastward under the Command of Coll, Thomas Westbrook.

Read [Accepted] &

Resolved that the Sum of Twenty five Pounds nine shillings be allowed & paid out of the publick Treasury to Solomon Bacon in full for his Service Eastward from the 12th of May to Sept. 9. 1725. [*Passed December 9.*

Legislative Records of the Council, xiii., 70.

Mass. Archives, lii., 292. House Journal, p. 51.

CHAPTER 362.

ORDER ON PETITION OF JOS. & BETHIA PETER, INDIANS, TO SELL LAND.

A PETITION of Joseph Peter & Bethia Peter his Wife Indians of Middleborô Praying that they may be allowed to sell twenty Acres of Land in a Place called Ketitticut laid out to the said Bethia by Order of this Court in the Year 1724, being Part of a Lot of One Hundred Acres belonging to the Heirs of Charles Ahaz, Father to the said Bethia, The Petitioners being fallen into Poverty & run much into Debt for their necessary Support.

Legislative Records of the Council, xiii., 61.

House Journal, pp. 7, 45, 65.

Read &

Ordered that this Petition be refer'd to the Consideration of the Justices of the County of Plimouth at their next General Sessions, And that they be desired to send for the Petitioners & upon due Examination of their Circumstances, Report to this Court Whether they judge it necessary that the Land mentioned in the Petition should be sold. [*Passed December 10.*

CHAPTER 363.

RESOLVE ALLOWING PAYMENT ON CPT. BENJ^A WRIGHTS MUSTER ROLL.

Legislative Records of the Council, xiii., 70.

House Journal, p. 63.

A MUSTER ROLL of the Company of Voluntiers in His Majestys Service Westward under the Command of Cpt. Benjamin Wright Containing an Acc^t of Wages due to them for their Service from July 12. 1725, to Octob^r 22. 1725, Amounting to the Sum of £1,150. 9. 6.

[Read, Accepted and]

Resolved that the Sum of One Thousand seventy five Pounds nineteen shillings & six pence be allowed & paid out of the publick Treasury to Cpt. Benjamin Wright to be by him paid to the respective Persons to whom the same is due in full Discharge of the Wages thereof, First deducting what has been already advanced to him. [*Passed December 10.*

CHAPTER 364.

RESOLVE ALLOWING PAYMENT ON CPT. DOMINICUS JORDANS MUSTER ROLL.

Legislative Records of the Council, xiii., 71.

House Journal, p. 66.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Dominicus Jordan Containing an Accompt of Wages due to them for their Service from July 15. 1725, to Decem^r 1. 1725, Amounting to the Sum of £186. 7. 6.

[Read and Accepted and]

Resolved that the Sum of One Hundred eighty five Pounds & nine pence be allowed & paid out of the publick Treasury to Messrs John Payne & Ezra Bourn or either of them, to be by them or either of them paid to whom it is respectively due, in full Discharge of the Wages thereof; And that the said Payne & Bourn take Care to pay forty shillings into the Treasury out of Joseph Twenash's Wages on Cpt. Bourns Roll, If so much is due to him thereon for a Gun belonging to the Province which he has received & not returned. [*Passed December 10.*

CHAPTER 365.

ORDER ON THE PETITION OF DUNSTABLE PROPRIETORS FOR A NEW TRIAL.

Legislative Records of the Council, xiii., 54, 71.

House Journal, p. 66.

A PETITION of Henry Farewell & others Proprietors of ye Common & undivided Lands in the Town of Dunstable, Shewing that at the Inferiour Court of Common Pleas Held at Charlestown in March last Coll. Eleazar Tyng of Dunstable brought an Action of the Case against the Petitioners as he is Executor of ye last Will & Testament of Jona-

than Tyng Esqr Dec^{d} For Refusing to lay out Four Hundred & forty Acres of Land to the Testator in his Life Time or to the Plaintiff (Executor) to his Damage Four Hundred & forty Pounds, That the Writ was served but fourteen Days precisely before the Sitting of the said Court, So that it was impossible then to have a Proprietors Meeting, wch requires fourteen Days Notice, And therefore four or five of the Proprietors came in Person & left Mr John Reed their Attorney at the said Court, But the Court would not hear Mr Reeds Pleas unless he would produce a Power from the Proprietors, so that Judgem^{t} went against them by Default, Praying that the said Judgement may be reversed, And that they may be enabled to defend the said Suit at the next Inferiour Court at Charles-Town Or that a further Day may be given till March Court, And that then the said Action may come on to a Tryal and the Petitioners appoint their Agents to defend it.

Read together with the Answer of Coll. Tyng, And the same being full Considered;

Ordered that the Petitioners be admitted to a new Tryal at the Inferiour Court of Common Pleas for the County of Middlesex to be Held in March next, And that Execution be staid in the mean Time, The Costs to remain as they are; Any Law Usage or Custom to the Contrary Notwithstanding. [*Passed December 10.*

CHAPTER 366.

RESOLVE FOR SUPPLYING THE EASTERN INDIANS WITH GOODS.

Resolved that Mr Treasurer be & hereby is Ordered & Directed forthwith to purchase a Quantity of such Goods as are enumerated in a List hereto annexed (in a suitable Proportion) to the Value of about Seven Hundred Pounds in the Whole, the said Good[1] to be put on board the Sloop Merry Meeting Cpt. Thomas Sanders Master, In wch Sloop the Delegates are to return, & the said Goods to be sold by Mr Mountforth to such Indians as shall think fit to purchase them at the Rates they shall be set at in the Invoice, And in Exchange for them to take Peltry & other Goods at the Prices they shall be directed to receive them, And that what shall remain of the said Goods after the Indians shall be supplied shall be lodged at the Block House at St Georges until the Sitting of this Court in May next under the Care of the said Mountforth; The Indians to be notified thereof, that they may be there supplied as they have Occasion; And if the Necessitys of the Indians require a further Supply that the Lieut. Governour be desired with the Advice of the Council, to direct the Treasurer to send Supplys accordingly, Not exceeding in Value the Sum of Seven Hundred Pounds. [*Passed December 10.*

Legislative Records of the Council, xiii., 71.

Legislative Records of the Council, xii., 418 *bis*, 421, 424; xiii., 3, 6, 11 *bis*, 12, 16, 28, 61, 65, 68, 70. House Journal, pp. 66, 69 (June, 1725); pp. 3, 5, 6, 17, 23, 58, 65, 67. *Infra*, chap. 367.

CHAPTER 367.

VOTE FOR CONTINUING PAY AND SUBSISTENCE OF THE GARRISONS AT Sr GEORGES & RICHMOND.

Voted that the Pay & Subsistence of the Men allowed by this Court at Richmond Garrison & the Block House on St Georges River be further Continued at the said Houses until the Sitting of this Court in May next. [*Passed December 10.*

Legislative Records of the Council, xiii., 72.

Legislative Records of the Council, xii., 64, 72, 126; xiii., 37, 38, 70. House Journal, p. 65. *Supra*, chap. 366.

[1] "Goods" in the State Library copy, Legislative Records of the Council, xiii., 67.

CHAPTER 368.

ORDER ON PETITION OF JOHN WENTWORTH & OTHERS OF PUNCAPAUG TO PURCHASE INDIAN LANDS THERE.

Legislative Records of the Council, xiii., 72. Mass. Archives, xxxi., 123.

Mass. Archives, xxxi., 122, 124. House Journal, pp. 61, 62. *Ante*, p. 518, chap. 244.

A PETITION of John Wentworth, William Wheeler, Samuel Hartwell, Benjamin Sherman & Silas Crane, Inhabitants of Puncapaug, Praying the Allowance of this Court, to purchase of Amos Ahanton & others Indian Proprietors of Puncapaug Five Hundred Acres of Land (Not including any of the Lands under the actual Improvem^t of the said Indians) being Part of Fifteen Hundred Acres which they have not conveyed away or leased out, but have a good Right thereto, And that the Sale may be regulated by a Committee of this Court at the Cost & Charge of the Petitioners. W^ch Petition was accompanied with a Petition of the said Amos Ahanton & the other Proprietors Praying to the same Effect.

Read and

Ordered That the prayer of the petition be granted and That the petitioners be impoured to purchase the said Five hundred Acres of Land accordingly and that Nathaniel Byfield Paul Dudley, Jonathan Remington John Quincy & Ebenezer stone Esq^rs the Com^tee for Managing and regulating the Indian Affairs at punkapaug be desired and directed to see Justice done the Indians in the Sale of the said Land at the charge of the petitioners Accordingly. [*Passed December 10.*

CHAPTER 369.

RESOLVE ALLOWING 18/2 TO W^M COYNE.

Legislative Records of the Council, xiii., 73.

House Journal, p. 65.

A PETITION of William Coyne Praying that he may be allowed forty shillings for his Service as Clerk to Coll. Tho. Westbrook, he being allowed only Centinels Pay in the last Muster Roll, Notwithstanding his Service as Clerk.

Read [Accepted] &

Resolved that the Sum of Eighteen shillings & two pence be allowed & paid out of ye publick Treasury to the Petition^r William Coyne in full for the Service within mentioned. [*Passed December 10.*

CHAPTER 370.

RESOLVE ALLOWING 10/6 TO JOHN PRESTON.

Legislative Records of the Council, xiii., 73.

House Journal, p. 67.

AN ACCOMPT of John Preston of Ferryage of Soldiers from Hadley to Hatfield on Connecticut River, Amounting to Ten shillings & six pence.

[Read and]

Resolved that the Sum of Ten shillings & six pence be allowed & paid out of the publick Treasury to Mr Westwood Cook, to be by him paid to the Accomptant John Preston in full Discharge of the within Accompt. [*Passed December 10.*

CHAPTER 371.

RESOLVE ALLOWING £8. 6 TO JN^O SAWYER.

AN ACCOMPT presented by John Sawyer of Lodging Diet & Attendance of Zechar. Trescot, an Officer wounded in the publick Service by ye Indians from May 2. to Aug. 1. 1725. Amounting to the Sum of £10. 15.

Legislative Records of the Council, xiii., 73.

House Journal, p. 65.

[Read, Accepted and]

Resolved that the Sum of Eight Pounds six shillings be allowed & paid out of the publick Treasury to the Accomptant John Saywer in full Discharge of the within Accompt. [*Passed December 10.*

CHAPTER 372.

RESOLVE ALLOWING £3. 1. 3 TO JOHN FOSDICK.

AN ACCOMPT of John Fosdick Black Smith, for Work by him done for the Province House, Amounting to the Sum of £3. 1. 3.

Legislative Records of the Council, xiii., 73.

House Journal, p. 66.

[Read, and]

Resolved that the Sum of Three Pounds one shilling & three pence be allowed & paid out of the publick Treasury to the Accomptant John Fosdick in full Discharge thereof. [*Passed December 10.*

CHAPTER 373.

RESOLVE ALLOWING 36/ TO COLL. ELEA. TYNG.

AN ACCOMPT presented by Coll. Eleazar Tyng, of the Charge of Burying Isaac (a Maqua in the Service of the Province) Amounting to the Sum of £1. 16.

Legislative Records of the Council, xiii., 75.

House Journal, p. 67.

Ante, p. 694, chap. 328.

[Read and]

Resolved that the Sum of Thirty six shillings be allowed & paid out of the publick Treasury to Coll. Eleazar Tyng in full Discharge of the above Accompt. [*Passed December 11.*

CHAPTER 374.

RESOLVE ALLOWING £85. 18. 5 TO DAVID MELVIL.

A PETITION of David Melvil Keeper of His Majestys Goal in Boston Praying an Allowance of his Accompts hereunto annexed of Subsisting divers Indian Prisoners by Order of the Governm^t Amounting to the Sum of £85. 18. 5.

Legislative Records of the Council, xiii., 75.

House Journal, p. 69.

[Read Accepted and]

Resolved that the Sum of Eighty five Pounds eighteen shillings & five pence be allowed & paid out of ye publick Treasury to the Petition^r & Accomptant David Melvil, in full of this & all other Acc^ts of Charge & Expence &c, of the said David Melvil on any of the Indian Prisoners or Captives. [*Passed December 11.*

CHAPTER 375.

ORDER ACCEPTING REPORT ABOUT A PLACE FOR Y^E ROLLS &c.

Legislative Records of the Council, xiii., 72.

House Journal, p. 71. *Ante*, p. 662, chap. 238.

THE COMMITTEE appointed by the within Order having considered thereof, make the following Report; Viz, That until the Governm^t provide a more convenient Office for the Secretary, there may be a Closet built adjoining to the Easterly End of the Office he now has, to take in the next Window on the North Side of the Walk, W^ch being well plaistered within will be of Security in Case a Fire should break out in any other Part of the House until the Rolls & other Things to be lodged therein be removed. We further propose that there be two Keys, the one to be kept by the Secretary, & the other by some other Person to be appointed by the Court, that so the Door may be the sooner opened in Case of Fire.

ADD. DAVENPORT, In the Name of the Comm^tee

Read &

Ordered that this Report be Accepted, Saving the last Article respecting two Keys. [*Passed December 13.*

CHAPTER 376.

RES. ABOUT Y^E SUBSISTENCE OF SERG^T KNOWLTONS SOLDIERS.

Legislative Records of the Council, xiii., 76.

Mass. Archives, xci., 183. Legislative Records of the Council, xiii., 32. House Journal, pp. 28, 58, 71. *Ante*, p. 671, chap. 265.

Resolved that the Subsistence due by the Muster Roll of Serg^t Joseph Knolton be allowed & paid out of the publick Treasury to Cpt. Henry Dwight to be by him repaid to whom the same is respectively due in full Discharge thereof, The Votes of the House pass'd on the said Roll Notwithstanding. [*Passed December 13.*

CHAPTER 377.

ORDER ON SOL. WADES PETITION PRAYING CONFIRMATION OF SALE OF LAND BY HIM AS ADMINISTRATOR WITHOUT LEAVE OF COURT.

Legislative Records of the Council, xiii., 76.

House Journal, pp. 71, 72.

A PETITION of Solomon Wade of Medford Shewing that his Father Major Nathaniel Wade by his last Will & Testament gave all his Estate to Mercy his Wife during Life, whom he made his Executrix, & gave her Power to sell what Lands were needful for Paying his just Debts, & Ordered the Rest of his Estate to be disposed of as is particularly set forth, That in Novem^r 1714, the Petitioners Mother the Executrix being dead, Administration de Bonis Non &c was given to him cum Testamento annexo, to fulfill the same, That in the Year 1715, He sold in Land belonging to the Estate to one William Richardson to the Value of £320 to enable him to pay the just Debts of the Testator, Praying that the Sale of the said Lands may be confirmed to the said Richardson, Notwithstanding the Petitioner had not obtained Leave of the Superiour Court, An Action of Ejectment for the said Land being already commenced at the Inferiour Court for the County of Middlesex;

Read &

Ordered that the Petitioner serve the adverse Parties with a Copy

of this Petition That so they may give in their Answer thereto, If they see Cause, on the first Fryday of the next May Session, And that the Action of Ejectm^t herein refer'd to be Continued from Court to Court in the mean Time. [*Passed December 13.*

CHAPTER 378.

RESOLVE ALLOWING £15 TO CAP^T JAMES GRANT AND 10/ TO EACH VOLUNTIER ENLISTED UNDER HIM.

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the publick Treasury to Cpt. James Grant for his Service in Enlisting three Companies of Voluntiers under his Command the Summer past; Viz, Five Pounds for each Enlistment of the Voluntiers, And that the further Sum of Seventy five Pounds be allowed and paid out of the publick Treasury to the said Cpt. James Grant to be by him paid to the Voluntiers that enlisted under him; Viz, Ten shillings to each Voluntier upon their several Enlistments. [*Passed December 14.*

Legislative Records of the Council, xiii., 76.

House Journal, p. 69.

CHAPTER 379.

RESOLVE ALLOWING £8. 14. 10 TO DAN^LL ELITHROP.

A PETITION of Daniel Elithorp Shewing that he performed the Duty of a Sergeant at the Block House at St Georges, & also officiated in Delivering out Stores to the Garrison (as appears by the annexed Certificate) That in Making up the Muster Roll he was reduced to Centinels Pay, Praying that his Pay may be made up to him according to his Service as Sergeant.

Read &

Resolved that the Sum of Eight Pounds fourteen shillings & ten pence be allowed & paid out of the publick Treasury to the Petitioner Daniel Elithrop in Answer to his Petition. [*Passed December 14.*

Legislative Records of the Council, xiii., 77.

House Journal, p. 70.

CHAPTER 380.

RESOLVE ALLOWING £4 TO THO. CLARK.

A PETITION of Thomas Clark, Shewing that he served as a Centinel at the Garrison on St Georges River under the Command of Cpt. William Kennedy from Jan. 28th to March 25. 1725, for which he has received no Wages being left out of ye Muster Roll, Praying an Allowance for the same.

Read [Accepted] &

Resolved that the Sum of Four Pounds be allowed & paid out of the publick Treasury to the Petitioner Thomas Clark in full Discharge of the Wages within mentioned. [*Passed December 14.*

Legislative Records of the Council, xiii., 78.

House Journal, p. 70.

CHAPTER 381.

RESOLVE ALLOWING £8 TO JER. HOWS.

Legislative Records of the Council, xiii., 78.

House Journal, p. 70.

A PETITION of Jeremiah Hows Shewing that he acted by Vertue of a Commission from His Honour the Lieut. Govern^r as Lieutenant of a Company of Indians under the Command of Cpt. Richard Bourn, & has served to this Day in the said Station, not having yet received his Dismission, And that he has Wages allowed in the said Cpt. Bourns Roll no further than to the 14th of July last, Praying that the Remainder of the Wages due to him for his said Service may be allowed to him out of the publick Treasury.

Read [accepted] &

Resolved that the Sum of Eight Pounds be allowed & paid out of ye publick Treasury to the Petitioner Jeremiah Haws in full Satisfaction of ye Services within mentioned. [*Passed December 14.*

CHAPTER 382.

RESOLVE ALLOWING 58/ TO SERG^T BENJ^A LARRABEE.

Legislative Records of the Council, xiii., 78.

House Journal, p. 70.
Ante, p. 364, chap. 234.

A PETITION of Sergeant Benjamin Larrabee of His Majestys Castle William Shewing that by the Establishm^t of the Garrison there Two Sergeants & two Corporals are allowed, And there being three Guards kept, there is a Necessity of three Corporals, And that the Petitioner has performed ye Whole of the Sergeants Duty almost ever since the new Establishm^t Praying an Addition of nine shillings per Month to his Wages.

Read [accepted] &

Resolved that the Sum of Fifty eight shillings be allowed & paid out of the publick Treasury to Serg^t Benjamin Larrabee in full Satisfaction of the Services within mentioned. [*Passed December 14.*

CHAPTER 383.

ORDER ON PROUTS, HEDMANS & GIBBONS PET^CON STAYING AN EXECUTION AGAINST THEM.

Legislative Records of the Council, xiii., 79.

House Journal, pp. 73, 74.

A PETITION of Timothy Prout, Philip Hedman & Henry Gibbon of Boston Merch^ts Shewing that at an Inferiour Court held at Boston for the County of Suffolk in July last, they together with John Gibbon Dec^d recovered Judgem^t against Nathaniel Mason of Boston afores^d Mariner that he should render to them a just & true Acc^t of a certain Cargoe & pay to them the Ballance, or in Default thereof for ten Months, they should recover the Sum of One Thousand Pounds; From which Judgem^t the said Mason appealed to the next Superiour Court, but failed to prosecute his Appeal, Whereupon the Petitioners filed their Complaint, & had Judgement affirmed for the said Masons Rendering an Accompt & Paying the Ballance in ten Months or their Recovering the Sum of One Thousand Pounds, as aforesaid; But so it was that at the same Superiour Court the said Mason recovered against the Petitioners the Sum of £65. 8. 5 being for Wages due to him; But, foras-

much as the said Mason may immediately take out Execution on his Judgem^t & the Petition^rs can reap no Benefit from theirs for six Months to come, Therefore Praying the Order of this Court That the said Masons Execution be suspended till such Time as the Petitioners may take out theirs & that the Sum by the said Mason recovered may be deducted out of the Money recovered by the Petitioners, or that they may be otherwise relieved in the Premisses as to this Court shall seem meet.

Read &

Ordered that the Prayer of the Petition be granted so far as that the Execution on the Judgem^t obtained by the said Nath^ll Mason against the Petitioners be & hereby is suspended until such Time as the Petitioners can have the Benefit of their Execution against the said Mason, Any Law, Usage or Custom to the Contrary Notwithstanding. [*Passed December 14.*

CHAPTER 384.

RESOLVE ALLOWING PAYMENT ON L^T EDW^D SOUTHWORTHS MUSTER ROLL.

A MUSTER ROLL of a Company of Indian Voluntiers in His Majestys Service Eastward under the Command of Lieut. Edward Southward,[1] Containing an Acc^t of Wages due to them for their Service from June 28th to Decem^r 10. 1725, Amounting to the Sum of £183. 8. 6.

Legislative Records of the Council, xiii., 80. Mass. Archives, xci., 239.

Read and Accepted and

Resolved That the Sum of Twenty Seven pounds, four shillings and Nine pence be allowed and paid out of the publick Treasury to Liev^t Edward Southworth Simon Armstrong and Jonathan Dodson in full for their Wages, and that the remaining Sum vizt One Hundred and fifty five pounds, Eighteen shillings and nine pence be allowed and paid out of the publick Treasury to Thomas Church Esqr to be by him paid to the other persons to whom the same is respectively due on the within Roll in full Discharge of the Wages thereof. [*Passed December 14.*

Mass. Archives, xcl., 238. House Journal, p. 65.

CHAPTER 385.

RESOLVE ALLOWING PAYMENT ON COLL. THO. WESTBROOKS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Coll. Thomas Westbrook, Containing an Acc^t of Wages due to them for their Service, from the 23^d of May to the 20th of Novem^r 1725, Amounting to the Sum of £688. 8. 9.

Legislative Records of the Council, xiii., 81.

[Read Accepted and]

Resolved that the Sum of Six Hundred thirty one Pounds fourteen shillings & three pence be allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll, to whom the same is respectively due in full Discharge of the Wages thereof according to the Committees Report. [*Passed December 15.*

House Journal, p. 54.

[1] "Southworth" in Executive Records of the Council, viii., 331. The State Library copy agrees with that of the secretary, here printed.

CHAPTER 386.

RESOLVE ALLOWING 19/ TO NATH^LL DICKENSON.

Legislative Records of the Council, xiii., 81.

House Journal, p. 73.

AN ACCOMPT presented by Nath^ll Dickenson, of Going Express from Hatfield to Fort Dummer, Amounting to Nineteen shillings.

[Read and]

Resolved that the Sum of Nineteen shillings be allowed & paid out of the publick Treasury to the Accomptant Nathaniel Dickenson in full Discharge thereof. [*Passed December 15.*

CHAPTER 387.

RESOLVE ALLOWING £7. 11. 8 TO ELIS^A SANBURN.

Legislative Records of the Council, xiii., 83.

House Journal, p. 79.

A PETITION of Samuel Sanburn & Elisabeth his Wife, Shewing that Peter Calcard Son of the said Elisabeth Voluntarily undertook to Pilot a Company of Soldiers the last Winter in a March to Pigwacket in the Service of this Province, but, by Reason of the Cold & Hardships he endured in that March, he was taken sick the Day after his Return, & in a few Days he died, Praying that the Sum of Seven Pounds eleven shillings & eight pence, the Charge of his Funeral may be allow'd to them out of ye publick Treasury.

Read &

Resolved that the Sum of Seven Pounds eleven shillings & eight pence be allowed & paid out of the publick Treasury to Mr John Saunders for the Use of the said Elisabeth Sanburn to Discharge the Funeral Charge of the s^d Peter Calcard, as within mention'd. [*Passed December 17.*

CHAPTER 388.

VOTE FOR SELLING THE PROVINCE GOODS AT ALBANY.

Legislative Records of the Council, xiii., 83.

House Journal, p. 75.

WHEREAS there is now a considerable Quantity of Goods lodged in the Hands of Coll. John Schuyler at Albany which belongs to this Province;

Resolved that the said Coll. John Schuyler be impowered & desired to dispose of them to the best Advantage for the Use of the Province, & remit the Proceeds of them to the Treasurer or Receiver General of this Province. [*Passed December 17.*

CHAPTER 389.

RESOLVE ALLOWING £6. 9 TO D^R JON^A PRESCOT.

Legislative Records of the Council, xiii., 83.

House Journal, p. 78.

AN ACCOMPT presented by Dr Jonathan Prescot of Administrations to several Soldiers that were wounded at Pigwacket, Amounting to the Sum of £6. 9.

[Read and]

Resolved that the Sum of Six Pounds nine shillings be allowed & paid out of the publick Treasury to the said Jonathan Prescot in full Discharge thereof. [*Passed December 17.*

CHAPTER 390.

RESOLVE ALLOWING £11. 14. 10 TO DR HEN. BLAISDEL.

AN ACCOMPT presented by Dr Henry Blaisdel of Medicines supplied the Soldiers in the Western Frontiers under the Command of Coll. Eleazar Tyng, Amounting to the Sum of £14. 14. 10.

Legislative Records of the Council, xiii., 84.

[Read, Accepted and]

House Journal, p. 66.

Resolved that the Sum of Eleven Pounds fourteen shillings & ten pence be allowed & paid out of the publick Treasury to Dr Henry Blaisdel in full Discharge of ye within Accompt. [*Passed December 17.*

CHAPTER 391.

RESOLVE GRANTING THE PETITION OF WORCESTER INHABTS FOR TAKING LAND IN SOUTH PART OF WORCESTER FOR SUPPORT OF THE MINISTRY THERE.

A PETITION of the Proprietors & Inhabitants of the South Part of Worcester, Praying that they be enabled to tax the Divided & Undivided Lands in the said South Part of Worcester at one Peny Farthing per Acre towards the Charge of Settling & Supporting a Minister among them.

Legislative Records of the Council, xiii., 84.

House Journal, p. 75.

Read &

Resolved that the Prayer of the Petition be granted, And that the Petitioners be & hereby are fully Authorized & Impowered to lay a Tax of One Peny farthing per Acre on the Divided & Undivided Lands in the South Half of Worcester for one Year for the Support of the Ministry there. [*Passed December 17.*

CHAPTER 392.

ORDER ON PETITION OF SAMLL PRINCE ESQR COMPLAINING THAT A JUDGMENT RENDERED IN HIS FAVOR AGAINST ISAAC LITTLE AND OTHERS AS EXECUTORS, SHOULD HAVE BEEN AGAINST THEM PERSONALLY.

A PETITION of Samuel Prince of Middleborô Esqr Shewing that he took a Bond of Lemuel Little since Decd & Isaac Little Esqr of the Penalty of £800, Conditioned for the Payment of £400 &c, Wch he put in Suit at the Inferiour Court of Common Pleas for the County of Plimouth in March 1724, against the said Isaac Little & John Sanderson & Jane his Wife, Executors of the last Will & Testament of the said Lemuel Little, but the Writ is so drawn that it is difficult to determine Whether the Action be brought against the said Lemuel Littles Executors or against the said Isaac Little in his own Right; However Judgement was made only against the said Executors, at the Superiour Court held in April last, & Execution was issued out against

Legislative Records of the Council, xiii., 74, 84.

House Journal, pp. 69, 83.

the Goods Chattels and Lands of the said Lemuel Little in the Hands of the said Executors for £285. 15 & Costs, Whereby the Petitioner has lost the Benefit of the said Isaac Littles being bound, because neither his Person nor Estate are liable to the said Execution, nor can the Petitioner (as he conceives,) extend the said Execution to the Lands of the said Lemuel so as to make a good Title, Therefore Praying that he may have the said Bond delivered to him out of the Clerks Office to sue the said Isaac Little thereupon, & that the Judgem^t of the Superiour Court may be reversed or that he may be otherwise relieved as this Court shall judge proper.

Read &

Ordered that the further Consideration of this Petition be referred to the next May Session. [*Passed December 17.*

CHAPTER 393.

RESOLVE ALLOWING £5. 10 TO BENJ^A FLAGG.

Legislative Records of the Council, xiii., 84.

House Journal, p. 79.

A PETITION of Benjamin Flagg Praying the Allowance of his Charges in the Cure of a Wound he received in ye Service as a Sergeant by his Guns splitting in his Hands, the said Charge being £5. 10.

Read & IN Answer to this Petition,

Resolved that the Sum of Five Pounds ten shillings be allowed & paid out of the publick Treasury to the said Benjamin Flagg to discharge the Doctors Bill & his Petition in Full. [*Passed December 17.*

CHAPTER 394.

ORDER GRANTING THE PETITION OF SAM^LL & MARY WAINWRIGHT FOR AN APPEAL.

Legislative Records of the Council, xiii., 85.

House Journal, p. 82.

A PETITION of Samuel Wainwright of Ipswich Gent. & Mary his Wife Shewing that the Petitioners Father (Cpt. Joseph Flynt of Salem) died Intestate & Administration on his Estate was given to his Widow Mrs Experience Flynt in the Year 1712, who render'd an Inventory in 1713, Amounting to £1,784. 7. 2 to be divided between two Sons & a Daughter, Whereof the Personal Estate was £1,178. 7. 2 That in the Year 1714, the said Experience being dead, Messrs Benjamin Gerrish & Benjamin Flynt took Administration De Bonis Non on the said Estate, & gave an Inventory of about £439 in Goods, & £496. 10 in Bonds, That in the Year 1724, Joseph the eldest Son of the Intestate died, the two other Children being under Age & having no Guardians, Then the said Administ^rs made up their Accompts with the Judge of Probates & the Personal Estate was settled, Two Thirds on the surviving Son & one Third on the Petitioner Mary, That the Petitioners were debar'd by the Law from Appealing from that Settlement she having no Guardian as aforesaid; Therefore Praying that they may have Liberty of Appealing to the Governour & Council from the said Decree of the Judge of Probates

Read &

Ordered that the Prayer of the Petition be granted. [*Passed December 18.*

CHAPTER 395.

ORDER FOR CALLING A TOWN MEETING AT STONHAM.

Ordered that John Vinton a principal Inhabitant of the Town of Stonham be & hereby is impowered & directed to notify & summons the Inhabitants of the said Town duly qualified for Voters to assemble & meet some time in the Month of March next to chuse Town Officers according to Law, to stand for the Year. [*Passed December 18.*

Legislative Records of the Council, xiii., 85.

House Journal, p. 83.

CHAPTER 396.

RESOLVE ALLOWING £683. 16 TO JEREMIAH ALLEN FOR Y^E INDIAN TRADE.

AN ACCOMPT presented by Mr Treasurer of Goods by him bought & supplied for the Trade with the Eastern Indians, Pursuant to the Order of this Court, Amounting to the Sum of £683. 16.

[Read and]

Resolved that the Sum of Six Hundred eighty three Pounds sixteen shillings be allowed & paid out of the publick Treasury to Jeremiah Allen Esqr to be by him paid to the Persons to whom the same is respectively due in full Discharge of this Acc^t. [*Passed December 18.*

Legislative Records of the Council, xiii., 86.

House Journal, p. 82. *Ante*, p. 707, chap. 366.

CHAPTER 397.

ORDER FOR A NEW PARISH IN NEWBURY.

PURSUANT to an Order of the General Court at their Session in November 1725, In Answer to the Petition of the Westerly Part of the old Parish in Newbury Ordering us the Subscribers to view the Situation of ye Petitioners, as well as the other Part of the first Parish in Newbury, especially where the Middle Dividing Line is projected & to Hear the Parties therein concerned & Report thereon: In Obedience to said Order upon the first Day of December Curr^t We repaired to Newbury, & Having Notified the Persons concerned We viewed the several Parts of the old Precinct, & the Lands of the new proposed Parish, & Report as follows,

That the Lane called Chandlers Lane shall be the Dividing Line between the old Parishes, & to continue as the old or first Parish has already granted on the 19th of June 1722, But in as much as eight Familys that live near the said Lane & on the South Side thereof; viz Edward Sergeant James Crocker, Isaac Hall Joseph Swacey, Stephen Presson, William Allen, John Greenleaf Junr & Isaac Myrick have desired to be set to the new Parish, & some of them have been at Charge in Building the new Meeting House, The Committee are humbly of Opinion that the said eight Familys with their Estates adjoining shall be set off to the new Parish during the Courts Pleasure; Also whereas there is a considerable Number of Familys on the Northerly Side of the new Meeting House have entered their Dissent against being joined, The Committee are of Opinion That they be joined to the new Parish,

Legislative Records of the Council, xiii., 86.

Legislative Records of the Council, xiii., 40. House Journal, p. 64.

Provided the said Parish do accomodate them with suitable Pews or Seats for their Reception without their being at any Charge therefor.

WM ROGERS THO. CHOAT
DANLL EPES SPENCER PHIPS
SAMLL THAXTER

Dec. ye 8. 1725.

Read &

Ordered that this Report be Accepted, And that the Lands within the Bounds in the said Report described be set off a distinct & separate Precinct, And that the Inhabitants thereof be vested with the Powers & Privileges, that the Inhabitants of other Precincts are vested with. [*Passed December 18.*

CHAPTER 398.

VOTE ALLOWING £4 TO ROB. THOMSON.

Legislative Records of the Council, xiii., 87.

House Journal, p. 80.

A PETITION of Robert Thomson, Praying his Wages due for his Service as a Soldier under Coll. Shadrach Walton for two Months, During which Time he was casually omitted out of ye Muster Roll of the sd Coll. Walton.

Read [Accepted] &

Resolved that the Sum of Four Pounds be allowed & paid out of the publick Treasury to the said Robert Thomson for two Months Wages due to him as set forth in his Petition. [*Passed December 18.*

CHAPTER 399.

RESOLVE ABATING PROVINCE TAX ON THE TOWN OF LEICESTER.

Legislative Records of the Council, xiii., 88.

House Journal, p. 81.

A PETITION of the Select Men of the Town of Leicester Setting forth that the said Town is a Frontier & has been very much exposed & reduced to very low Circumstances by Reason of the late Indian War, And therefore Praying that this Court would compassionate their distress'd Case & abate their Proportion of the Province Tax laid on the sd Town for this present Year

Read & IN Answer to this Petition;

Resolved that the Province Tax laid on the said Town of Leicester for the present Year be abated for the Reasons herein set forth. [*Passed December 20.*

CHAPTER 400.

RESOLVE ALLOWING £14. 13. 6 TO SAMLL TYLEY.

Legislative Records of the Council, xiii., 88.

House Journal, p. 83.

AN ACCOMPT presented by Samuel Tyley of Writing done for the Publick Amounting to the Sum of £14. 13. 6.

[Read and]

Resolved that the Sum of Fourteen Pounds thirteen shillings & six pence be allow'd & paid out of ye publick Treasury to the Accomptant Samuel Tyley in full Discharge thereof. [*Passed December 21.*

CHAPTER 401.

ORDER APPOINTING A COMMTEE FOR REVISING THE LAWS &c.

IN THE HOUSE OF REPRESENTVES WHEREAS this Court have Resolved that the Laws now in Force be Imprinted for the Use Information & Direction of the People of this Province, But no Care taken therein for Inspecting the Press, nor is there any Contract as yet made with any Stationer for Printing the said Laws, supplying Paper &c, and Binding them handsomly up;

Legislative Records of the Council, xiii., 88.

House Journal, p. 79. *Ante*, p. 590, chap. 35.

Ordered that Mr Lindal, Mr Shove & Mr Wainwright with such as the Honble Board shall appoint be a Committee to revise all the Laws now in Force in this Province, And that they agree and contract with some Stationer for Printing the same & Binding a Number of them handsomly up, And that they report to this Court in their present Session for what Sum & on what Conditions the same may be done.

In Council; Read & Concur'd, And Addington Davenport & Elisha Cook Esqrs are joined in the Affair. [*Passed December 21.*

CHAPTER 402.

ORDER ON PETITION OF YE INHABTS OF LITTLETON &c.

A PETITION of Josiah Whiting Benjamin Robins, Jonathan Hartwell William Fletcher & Joseph Butterfield of the West Precinct in Chelmsford on the West Side of the great Tatnuck Meadows together with the Town of Littleton Praying that a Committee may be appointed to view their Situation & consider their Circumstances together with those of the West Precinct in Chelmsford That so the Petitioners of the said West Precinct may be annexed to Littleton as to the Support of the Ministry.

Legislative Records of the Council, xiii., 89.

House Journal, p. 81.

In the House of Representves Read &

Ordered that Cpt. William Wilson, Cpt. John Shipley & Mr Daniel Pierce with such as the Honble Board shall appoint be a Committee at the Charge of the Petitioners of the West Precinct in Chelmsford, to view the Circumstances of the Town of Littleton as well as the West Precinct in Chelmsford & Report their Opinion of what may be proper for the Court to act on the Petition at their next May Session.

In Council; Read & Concur'd, And Edmund Quincy & Edward Hutchinson Esqrs are joined in the Affair. [*Passed December 21.*

CHAPTER 403.

ORDER FOR A TOWN MEETING AT EASTON.

Ordered that Mr Josiah Keith a Principal Inhabitant of the Town of Easton be & hereby is Impowered & Directed to Notify & Summon the Inhabitants of the said Town duly qualified for Voters to assemble & meet some Time in the Month of March next to chuse Town Officers according to Law, to stand for the Year. [*Passed December 21.*

Legislative Records of the Council, xiii., 89.

House Journal, p. 85.

CHAPTER 404.

RESOLVE ALLOWING CPT. JAMES FRYS PETITION IN REGARD TO HIS SON'S WAGES AS CHAPLAIN IN THE SERVICE.

Legislative Records of the Council, xiii., 90.

House Journal, p. 85.

A PETITION of Cpt. James Fry of Andover Shewing that his Son Jonathan Fry went out to Pigwacket as Chaplain to Cpt. Lovewell, & was there slain, That in Making up the Roll, he was allowed only Centinels Pay, Praying that his Wages may be made up to Chaplains & that he may be allowed for a Gun lost with his said Son at the Time of his being killed, & receive said Wages.

Read & IN Answer to this Petition.

Resolved that the Petitioner be allowed to receive out of the publick Treasury what Money is due to his Son for Wages under the Command of the late Cpt. Lovewell, And Mr Treasurer is hereby Ordered & Directed to pay the same accordingly. [*Passed December 21.*

CHAPTER 405.

VOTE FOR A PRESENT TO THE DELEGATES.

Legislative Records of the Council, xiii., 90.

Legislative Records of the Council, xiii., 75. *Ante*, p. 717, chap. 396.

Resolved that the Treasurer be and hereby is Directed to provide two Stroud Blankets, two white Blanke[t]s & two Shirts to be given to each of the following Delegates; Viz, Alexis Francois Xavier, & Merambe, & for Cpt. Loron four Stroud Blankets, four white Blankets & four Shirts in Consideration that he hath been long absent from his Family & thereby disabled from Making suitable Provision for them And further that there be four Bags each containing One Hundred Weight of Bread provided & given one Bag to each Delegate for the Use of their Familys.[1] [*Passed December 21.*

CHAPTER 406.

RESOLVE ALLOWING £8. 7. 6 TO JOSIAH JONES.

Legislative Records of the Council, xiii., 90.

House Journal, p. 86.

A PETITION of Josiah Jones, Shewing that in the Fight at Pigwacket he received several grievous Wounds & suffered great Hardship & was in great Danger of Perishing being nineteen Days alone in his Travel to Falmouth where he continued under Cure for the Space of sixteen Weeks & expended the Sum of Twelve Pounds two shillings & sixpence, Praying Allowance of the same out of the publick Treasury.

Read &

Resolved that the Sum of Eight Pounds seven shillings & six pence be allowed & paid out of the publick Treasury to the Petitionr Josiah Jones in full of the Charge therein mentioned. [*Passed December 21.*

[1] Not in the House Journal.

CHAPTER 407.

RESOLVE ALLOWING £30. 10. TO CPT. TIMOTHY DWIGHT.

An Accompt presented by Cpt. Timothy Dwight of Disbursements in Finishing Fort Dummer under his Command, for Expresses, Charge of Conveying Stores for the said Fort & other incidental Charges, Amounting to ye Sum of £30. 0. 10.

Legislative Records of the Council, xiii., 91.

House Journal, p. 49.

[Read Accepted and]

Resolved that the Sum of Thirty Pounds & ten pence be allowed & paid out of the publick Treasury to the said Capt. Dwight, And that he be enjoined to lay the Floor according to the Report of the Committee, in full Discharge of the said Accompt. [*Passed December 21.*

CHAPTER 408.

RESOLVE ALLOWING £22. 9 TO CPT. TIM^o DWIGHT FOR OTHERS.

An Accompt presented by Cpt. Timothy Dwight of sundry Goods that were lost by several Soldiers that were surprized by the Indian Enemy at North River Sept. 11. 1725, Amounting to the Sum of £22. 9.

Legislative Records of the Council, xiii., 91.

House Journal, p. 49.

[Read Accepted and]

Resolved that the Sum of Twenty two Pounds nine shillings be allowed & paid out of the publick Treasury to the Persons respectively to whom it is due or their legal Represent^ves in Full of the above Accompt. [*Passed December 21.*

CHAPTER 409.

RESOLVE ALLOWING £18 TO TIM^o RICHARDSON.

A Petition of Timothy Richardson of Woburn, Praying some Consideration for his Wounds received in the Action at Pigwacket, wch has occasioned great Expence to him, Loss of Time & Pain, & of which he is not yet recovered

Legislative Records of the Council, xiii., 91.

House Journal, p. 86.

Read & In Answer to this Petition,

Resolved that the Sum of Eighteen Pounds be allowed & paid out of the publick Treasury to the Petitioner Timothy Richardson in Consideration of his Wounds received in the Service of this Province & his Charges &c occasioned thereby as set forth in his Petition. [*Passed December 21.*

CHAPTER 410.

RESOLVE ALLOWING 49/ TO JOS. BANCROFT.

A Petition of Joseph Bancroft of Reading Praying an Allowance of Forty nine shillings for so much of his Wages omitted out of the Muster Roll of Cpt. Seth Wyman & Cpt. Joseph Blanchard.

Legislative Records of the Council, xiii., 91.

House Journal, p. 83.

Read &

Resolved that the Prayer of the Petition be granted, & that the Sum of Forty nine shillings be allowed & paid out of the publick Treasury to the said Joseph Bancroft accordingly. [*Passed December 21.*

CHAPTER 411.

RESOLVE ALLOWING £8. 5 TO JOS. MARION.

Legislative Records of the Council, xiii., 92.

Legislative Records of the Council, xiii., 52, 59, 60, 81. House Journal, pp. 75, 76, 87.

AN ACCOMPT presented by Joseph Marion of Engrossing the sev[ll] Instruments for the Treaty, Attending the Commiss[rs] &c, Amounting to y[e] Sum of £8. 5.

[Read and]

Resolved that the Sum of Eight Pounds five shillings be allowed & paid out of the publick Treasury to the Accomptant Joseph Marion in full discharge thereof. [*Passed December 22.*

CHAPTER 412.

RESOLVE ALLOWING £5. 10. 4 TO SHER. WINSLOW.

Legislative Records of the Council, xiii., 92.

House Journal, p. 87.

AN ACCOMPT of Edward Winslow Esq[r] of Expence by Order of the Court at the Conclusion of the Treaty, Amounting to the Sum of £5. 10. 4.

[Read and]

Resolved that the Sum of Five Pounds ten shillings & four pence[1] be allowed & paid out of the publick Treasury to Edward Winslow Esq[r] in full Discharge of the within Accompt. [*Passed December 22.*

CHAPTER 413.

RESOLVE ALLOWING £17 TO JA. MCFADEN.

Legislative Records of the Council, xiii., 92.

House Journal, p. 86.

A PETITION of James MacFaden Shewing that being a Soldier in the Service of this Province, he was taken Prisoner by y[e] Penobscot Indians & detain'd in their Hands almost two Years, & at length obtain'd his Liberty by Paying them Seventeen Pounds Ransom Money, Praying that he may be allowed the said Sum out of the publick Treasury.

Read [accepted] &

Resolved that the Sum of Seventeen Pounds be allowed & paid out of the publick Treasury to the Petitioner James MacFaden to enable him to refund what he paid for his Ransom, He being taken by the Enemy whilst in the Countreys Service. [*Passed December 22.*

CHAPTER 414.

RESOLVE ALLOWING £13. 1. 5 TO JOHN ELDER.

Legislative Records of the Council, xiii., 93.

A PETITION of John Elder Praying an Allowance for his Service as a Soldier from Nov. 21. 1724, to May 22. 1725, He not being made up in any Muster Roll for that Space of Time

[1] The House Journal reads, £5. 10. 9.

Read [Accepted] &

Resolved that the Sum of Thirteen Pounds one shilling & five pence be allowed & paid out of the publick Treasury to the Petitioner John Elder for twenty six Weeks & one Days Service, For which he has not been Enter'd on any Roll. [*Passed December 23.*

House Journal, p. 87.

CHAPTER 415.

ORDER FOR DISCHARGING TWO TRANSPORT SLOOPS.

Ordered that the Transport Sloop called the George & the Sea flower be immediately after their next Return to Boston discharged from the Service of this Governm^t The Treasurer taking Care to receive any Stores &c, belonging to the Province. [*Passed December 23.*

Legislative Records of the Council, xiii., 93.

House Journal, p. 88.

CHAPTER 416.

ORDER APPOINTING A COMM^TEE OF BOTH HOUSES FOR RECEIVING EAST^N CLAIMS.

In Council;

Ordered that the Honble William Tailer Esqr John Turner Esqr & the Secretary with such as shall be appointed by the Honble House of Repres^ves be a Committee to receive the several Claims or Titles (that may be had or obtained) of the English to the Lands in the Eastern Parts of this Province, & to repair to Falmouth at the Time proposed for the Ratification of the late Treaty, And that they produce the said Claims or Titles, & take Care as far as possible to make out the same to the Satisfaction of the Indians & to distinguish & ascertain what Lands belong to the English in Order to the effectual Prevention of any Contention or Misunderstanding on that Head for the Future.

In the House of Represent^ves Read & Concur'd, &

Voted, that Coll. Dudley Coll. Stoddard, Mr Lindal, Mr Shove & Mr Wainwright be join'd with the Comm^tee of the Honble Board on that Affair. [*Passed December 23.*

Legislative Records of the Council, xiii., 93.

Legislative Records of the Council, xiii., 29, 32, 36.
House Journal, pp. 90, 91.
Ante, p. 720, chap. 405.

CHAPTER 417.

RESOLVE ALLOWING 50/ TO Y^E HEIRS OF JOS. PIERCE.

Resolved that the Sum of Fifty shillings be allowed & paid out of the publick Treasury to Mr Daniel Pierce to be by him paid to whom it is due by Law, being so much due to his Brother Joseph Pierce late of Woburn Dec^d who was a Soldier in the Service of the Province in the late Canada Expedition, Anno 1711, in the particular Company under the Command of Coll. Vetch, & is in Lieu of the Gun &c, he delivered of the Bounty of her late Majesty Queen Ann. [*Passed December 23.*

Legislative Records of the Council, xiii., 93.

House Journal, p. 91.

CHAPTER 418.

RESOLVE ALLOWING £4. 5 TO RICH^D PARK.

Legislative Records of the Council, xiii., 93.

House Journal, p. 88.

A PETITION of Richard Park,[1] Praying an Allowance for his Charges & Loss of Time occasioned by a Wound he accidentally gave him self with an Ax while he was a Soldier under the Command of Cpt. Samuel Willard.

Read &

Resolved that the Sum of Four Pounds five shillings be allowed & paid out of the publick Treasury to the Petitioner in Consideration of his Loss of Time occasioned by the said Wound & to enable him to pay the Doctor for the Cure. [*Passed December 23.*

CHAPTER 419.

ORDER ON PETITION OF Y^E CHILDREN AND LEGATEES OF GOVERN^R DUDLEY IMPOWERING THEM TO SELL LAND.

Legislative Records of the Council, xiii., 86, 94.

House Journal, p. 89.

A PETITION of the Children & Legatees of the late Govern^r Dudley Setting forth That by his last Will & Testament he devised a Tract of Land within the Township of Oxford to the Petitioners, but in such Terms, that (they apprehend) they cannot be alienated thô to never so great Advantage That there is a Village about to be settled on some of the Lands next adjoining, & the Persons therein concerned are desireous to purchase some of the Lands belonging to the Petitioners to accomodate that Settlement; Therefore Praying that this Court would impower them to make Sale of One Half of said Tract of Land, the whole consisting of Six Thousand Acres

Read &

Ordered that the Petitioners be & hereby are Impowered to make Sale of one Half of the Lands to them devised as set forth in the Petition, and to execute good & sufficient Deeds in the Law for Alienating the same, Any Law Usage or Custom to the Contrary Notwithstanding, Provided that the Lands be disposed of to such Persons as shall bring forward a Settlement thereon, Agreable to the Suggestion in the Petition. [*Passed December 23.*

CHAPTER 420.

RESOLVE ALLOWING £112 TO DR ALEX. BULMAN.

Legislative Records of the Council, xiii., 94.

House Journal, p. 87.

AN ACCOMPT presented by Dr Alexander Bulman of Wages due to him for his Service as Surgeon of the Forces Eastward from Novem^r 18. 1724, to Decem^r 15. 1725, Amounting to the Sum of £112.

[Read and]

Resolved that the Sum of One Hundred & twelve Pounds be allowed & paid out of the publick Treasury to the Accomptant Dr Alexander Bulman in full Discharge of the within Accompt. [*Passed December 23.*

[1] The House Journal reads, "*Burk.*"

CHAPTER 421.

RESOLVE FOR IMPRINTING £20,000 IN BILLS OF CREDIT.

Resolved that the Committee that made the last Bills of Credit on this Province be desired & directed to print off and finish as soon as may be the Sum of Twenty Thousand Pounds, Fifteen Thousand Pounds Part thereof from the Plate of the highest Denomination & Five Thousand Pounds from the Plate of the Middle Denomination, & deliver the same when finished to the Treasurer of this Province taking his Receipt for them; The Committee to be paid for their Service as for the Bills last made, And the Bills are to lodge in the Treasurers Hands till the Order of this Court for their being issued out.[1] [*Passed December 23.*

Legislative Records of the Council, xiii., 94.

CHAPTER 422.

RESOLVE ALLOWING £50. FOR SUPPORT OF THE MINISTRY AT FALMOUTH.

A PETITION of Major Samuel Moodey Representative of the Town of Falmouth, Shewing that Notwithstanding the great Difficultys the said Town have been exposed to by the late War, they have erected a good handsom Meeting House & near finished it, that they have had a Minister with them for several Months past, whom they are about to settle in Office there, Praying some Assistance from this Court for the Support of the said Minister in their present impoverished Circumstances.

Legislative Records of the Council, xiii., 94.

House Journal, p. 91.

Read & IN Answer to this Petition,

Resolved that the Sum of Fifty Pounds be allowed & paid out of the publick Treasury to the Petitioner Samuel Moodey Esqr to be by him delivered to the Select Men of the said Town, & by them disposed of as in their Prudence they shall judge meet for the Support of the Ministry in the said Town of Falmouth. [*Passed December 23.*

CHAPTER 423.

RESOLVE ALLOWING £24. 6. 5 TO BENJ^A^ ELLIOT.

AN ACCOMPT presented by Benjamin Elliot of sundry Stationers Wares delivered for the Use of the Council Chamber Clerk of the Represent^ves^ &c, and of Laws for ye Towns & Members of the Gen^ll^ Assembly from Dec. 19. 1724, to Dec. 21. 1725, Amounting to the Sum of £24. 6. 5.

Legislative Records of the Council, xiii., 94.

House Journal, p. 89.

[Read and]

Resolved that the Sum of Twenty four Pounds six shillings & five pence be allowed & paid out of the publick Treasury to the Accomptant Benjamin Elliot in full Discharge thereof. [*Passed December 23.*

[1] Not in the House Journal.

CHAPTER 424.

ORDER OF NOTICE ON PETITION OF JOSES BUCKNAM &c, FOR ANNEXATION TO MALDEN.

Legislative Records of the Council, xiii., 94.

House Journal, p. 88.

A PETITION of Joses Bucknam of Charlestown & Jacob Wilson & Jonathan Barret of Malden in Behalf of the Inhabitants of Malden & of Charlestown living on the North Side of Mistick River bordering upon the Town of Malden between the Towns of Boston & Medford, Praying that the Lands & Estates of the Charlestown Inhabitants within the Bounds aforesaid may be annexe'd to the Town of Malden in all Respects.

Read &

REFERRED to the next May Session for further Consideration, And that in the mean Time the Petitioners serve the Towns of Charlestown & Stonham with a Copy of this Petition, That they shew Cause, if any they have on the second Tuesday of the said Session Why the Prayer of this Petition should not be granted. [*Passed December 23.*

CHAPTER 425.

RESOLVE ALLOWING £12 TO THE COMMITTEE FOR PREPARING INDEX OF LAWS.

Legislative Records of the Council, xiii., 97.

House Journal, p. 92.
Ante, p. 132, chap. 81.

A LETTER directed to the Speaker of the Represent^ves by Addington Davenport, Paul Dudley & Josiah Willard Esq^rs Importing that in the Year 1722, by Order of the General Court, they prepared a new & more perfect Index to the Law Book, wch was accordingly published, & for which they have as yet had no Consideration, & Moving that some proper Allowance may be made for that Work, Which took up much Time & Labour.

Read &

Resolved that the Sum of Twelve Pounds be allowed & paid out of the publick Treasury to Addington Davenport Esqr to be by by[1] him paid to the Committee that performed the Service within mentioned according to the Time of their Attendance. [*Passed December 24.*

CHAPTER 426.

ORDER FOR A NEW IMPRESSION OF Y^E LAWS.

Legislative Records of the Council, xiii., 97.

House Journal, p. 89.
Ante, p. 719, chap. 401.

TO THE INTENT that all the Laws of this Province may be more certainly known & understood;

Resolved that a new Impression of them be made with all convenient Speed, Wherein all such Laws as are repealed or expired shall be left out, & a proper Index or Table calculated for the Whole annexed; And that Addington Davenport & Elisha Cook Esq^rs be a Committee to supervise the Laws for that End, & Agree for the Impression on the best Terms they can, Each Town in the Province & Members of the present Court to be furnished with a Book at the publick Charge, And that the Books for each Town in the Province & Members of the pres-

[1] *Sic.*

ent Court, when finished & bound up be lodged in the Hands of the s^d Committee to be delivered out according to this Resolve, And that so many of the Books as shall be delivered out as afore said more than the Number the Committee appointed to take Care of the Impression are to have of the Book Seller for the Privilege of Printing the Laws shall be paid for out of the publick Treasury: And that the Committee shall be paid for their Service when compleated the Sum of Forty Pounds out of the publick Treasury. [*Passed December 24.*

CHAPTER 427.

RESOLVE FOR A NEW INVESTING OF £1,400 FOR Y^E INDIAN TRADE.

Resolved that Mr Treasurer Allen be & hereby is Ordered & Directed as often as he receives any thing of the Produce of the Fourteen Hundred Pounds already Ordered by this Court to be invested in Goods proper to supply & Trade with the Indians &c Eastward, to invest the same again in Goods suitable for the aforesaid Supply & Trade, Consigning them to Mr Edmund Mountforth with Orders for his Disposal thereof, & Remitting the Proceeds of them Agreable to the Instructions he has had for Disposing of the first Parcel of Goods sent to him by Cpt. Saunders; This Order to continue & be in Force till the Session of this Court in May next. [*Passed December 24.*

Legislative Records of the Council, xiii., 97.

House Journal, p. 91. *Anté*, p. 707, chap. 366.

CHAPTER 428.

RESOLVE ALLOWING £5. 1 TO RICH^D HUBBARD.

AN ACCOMPT presented by Richard Hubbard Door Keeper of Disbursem^ts for Candles Mending the Clock &c, Amounting to the Sum of £5. 1.

[Read and]

Resolved that the Sum of Five Pounds & one shilling be allowed & paid out of the publick [Treasury][1] to the Accomptant Richard Hubbard in full Discharge thereof. [*Passed December 24.*

Legislative Records of the Council, xiii., 98.

House Journal, p. 92.

CHAPTER 429.

RESOLVE ALLOWING £8. 7. 6 TO BENJ^A ROLFE.

AN ACCOMPT presented by Benjamin Rolfe of Writing done for the Publick to November last, Amounting to the Sum of £8. 7. 6.

[Read and]

Resolved that the Sum of Eight Pounds seven shillings & six pence be allowed & paid out of the publick Treasury to the Accomptant Benjamin Rolfe in full Discharge thereof. [*Passed December 24.*

Legislative Records of the Council, xiii., 98.

House Journal, p. 92.

[1] Inserted from the State Library copy, Legislative Records of the Council, xiii., 93.

CHAPTER 430.

RESOLVE ALLOWING £4. 10 TO COLL. JN° APPLETON.

Legislative Records of the Council, xiii., 99.

House Journal, p. 95.

AN ACCOMPT presented by Coll. John Appleton of Billeting Soldiers in his Majestys Service June 26. 1724, Amounting to the Sum of £4. 10.

[Read and]

Resolved that the Sum of Four Pounds ten shillings be allowed & paid out of the publick Treasury to Coll. John Appleton the Accomptant in full Discharge of this Accompt. [*Passed December 29.*

CHAPTER 431.

RESOLVE ALLOWING £25. 17. 7 TO BENJA ELLIOT.

Legislative Records of the Council, xiii., 100.

House Journal, p. 97.

AN ACCOMPT presented by Benjamin Elliot of Stationers Wares supplied the Secretarys Office to Dec. 18. 1725, Amounting to £25. 17. 7.

[Read and]

Resolved that the Sum of Twenty five Pounds seventeen shillings & seven pence be allowed & paid out of the publick Treasury to ye Accomptant Benjamin Elliot in full Discharge thereof. [*Passed December 30.*

CHAPTER 432.

ORDER ON REPORT ABOUT FRAMINGHAM MEETING HOUSE.

Legislative Records of the Council, xiii., 100. Mass. Archives, cxiv., 21.

Legislative Records of the Council, xiii., 62, 71. House Journal, p. 98.

PURSUANT to an Order of the General Court Dec. 10. 1725, In Answer to the Petition of sundry Inhabitants of the North West Part of the Town of Framingham, The Committee repaired to Framingham the 14th of Decemr Currant, & having viewed the Town & heard the Pleas & Allegations of all Persons concerned, Report as follows; Viz,

That the Meeting House proposed to be built shall be set on ye Southerly Side of the Road leading from the old Meeting House to Bear Hill, & not more than ten Rods from the Road, & as near to the said Hill, as the Lands appropriated for that Use will conveniently admit of.

Read &

Ordered that ye Report be Accepted & that the Meeting house proposed to be built in ye Town of Framingham be placed Accordingly. [*Passed December 30.*

CHAPTER 433.

RESOLVE ALLOWING 50/ TO ENS. JA. WOODSIDE.

Legislative Records of the Council, xiii., 100.

House Journal, p. 97.

A PETITION of Ensign James Woodside Praying an Allowance for several Kettles, Pots, Axes &c supplied Coll. Harmans Company in the Year 1721, as also for the same Things supplied the Garrison at Maquoit.

Read [Accepted] &

Resolved that the Sum of Fifty shillings be allowed & paid out of the publick Treasury to the Petitioner James Woodside in full Discharge thereof. [*Passed December 30.*

CHAPTER 434.

RESOLVE ALLOWING £5. 4 FROM TOWN OF HAVERHILL TO RICHARD KENT ESQR.

A MEMORIAL of Richard Kent Esqr Praying that this Court would give Order for the Payment of his Accompt of Time & Expence in two Journeys to Haverhill to attend as Moderator of their Town Meetings by Direction of this Court, The said Acct amounting to £7. 4.

Read &

Resolved that the Sum of Five Pounds four shillings[1] be allowed & paid by the Town of Haverhill to Richard Kent Esqr in full Discharge thereof. [*Passed December 31.*

Legislative Records of the Council, xiii., 100.

House Journal, pp. 44, 97, 98. *Ante*, p. 585, chap. 21; p. 604, chap. 79.

CHAPTER 435.

RESOLVE ALLOWING 32/ TO THO. BANCROFT.

Resolved that the Sum of Thirty two shillings be allowed & paid out of ye publick Treasury to Mr Thomas Bancroft of Reading, to be by him paid to his Son Thomas Bancroft a Soldier born on Cpt. Blanchards Muster Roll, So much being struck off from his Wages in said Muster Roll by Mistake. [*Passed December 31.*

Legislative Records of the Council, xiii., 101.

House Journal, p. 99.

CHAPTER 436.

RESOLVE ALLOWING 15/ TO WM GERRISH.

AN ACCOMPT of William Gerrish for Riding Express in the Service of the Governmt from Newbury to Portsmouth, Amounting to ye Sum of 15/.

[Read and]

Resolved that the Sum of Fifteen shillings be allowed & paid out of the publick Treasury to Cpt. Henry Rolfe to be by him paid to ye Accomptant William Gerrish in full Discharge thereof. [*Passed December 31.*

Legislative Records of the Council, xiii., 101.

House Journal, p. 95.

CHAPTER 437.

RESOLVE ALLOWING £70. 10 TO CPT. JOHN GERRISH.

AN ACCOMPT presented by Cpt. John Gerrish Gun Smith of Cleaning the Arms belonging to the Province & Mending them by Order of the Treasurer from Sept. 1722, to Decemr 1725, Amounting to the Sum of £107. 18. 4.

Legislative Records of the Council, xiii., 101.

House Journal, p. 98.

[1] The House Journal reads, £5. 14.

[Read accepted and]

Resolved that the Sum of Seventy Pounds ten shillings[1] be allowed & paid out of the publick Treasury to Cpt. John Gerrish the Accomptant in full Discharge thereof. [*Passed December 31.*

CHAPTER 438.

RESOLVE ALLOWING £91. 2. 1 TO EDWARD WINSLOW.

Legislative Records of the Council, xiii., 102.

House Journal, p. 97.

AN ACCOMPT presented by Edward Winslow Esqr of the Charge of Subsisting ye Delegates of the Indians & the Interpreters, & the Attendance of the said Sheriff Winslow & his Officers, Amounting to the Sum of £91. 2. 1.

[Read, Accepted and]

Resolved that the Sum of Ninety one Pounds two shillings & one peny be allowed & paid out of ye publick Treasury to the Accomptant Edward Winslow Esqr to be by him paid to the Persons to whom the same is due in full Discharge of the said Accompt. [*Passed December 31.*

CHAPTER 439.

RESOLVE ALLOWING £36. 14. 2 TO COLL. THOMAS WESTBROOK WITH DEDUCTION OF 44/ 8 FROM THE MUSTER ROLL OF THE SLOOP SEA FLOWER.

Legislative Records of the Council, xiii., 102.

House Journal, p. 97.

AN ACCOMPT presented by Coll. Thomas Westbrook of Disbursem^ts for Oars & Paddles for the Service, for Subsisting the Hostages & other Indians at St Georges, Horse Hire &c, Amounting to the Sum of £39. 4. 10.

[Read, Accepted and]

Resolved that the Sum of Thirty six Pounds fourteen shillings & two pence[2] be allowed & paid out of ye publick Treasury to Coll. Thomas Westbrooke in full Discharge of the within Accompt, And that the further Sum of Forty four shillings & eight pence be deducted from the Sloop Sea-Flowers next Muster Roll, Simon Slocum Master, being for Oars said Slocum received & charged in the within Accompt. [*Passed December 31.*

CHAPTER 440.

RESOLVE ALLOWING £7. TO JOS. HILLER.

Legislative Records of the Council, xiii., 102.

House Journal, p. 97.

A PETITION of Joseph Hiller, Praying an Allowance for Proclaiming the Laws from the Year 1714, to the Year 1718, & for other Service done for the Publick, of which he has not kept a particular Accompt & more Especially for his Attendance on the Commissioners for the late Treaty as their Clerk for a whole Month.

Read [accepted] &

Resolved that the Sum of Seven Pounds be allowed & paid out of the publick Treasury to the Petitioner in full for the Services mentioned in the Petition. [*Passed December 31.*

[1] The House Journal reads, £70. 10. 10.
[2] The House Journal reads, £36. 13. 2.

CHAPTER 441.

ORDER IMPOWERING EDM^D WELD, W^M PAYNE &c, TO SELL LAND.

A PETITION of Edmund Weld Administ^r of the Estate of Elisabeth his late Wife, Henry Gill Guardian to the Children of Benjamin White Dec^d William Payne Guardian to the Children of his late Wife Hannah Dec^d & John Winchester Guardian to the Children of Sarah his late Wife also Dec^d W^ch said Elisabeth Weld, Benjamin White, Hannah Payne & Sarah Winchester were Brother & Sisters of John White late of Boston Esqr Dec^d Shewing that the said John White died seized in Fee & Intestate of sundry Pieces of Land in Littleton, Leicester & Rutland, Four ninth Parts thereof descending to the Children of the Persons before named (who are Deceased) & are represented by the Petitioners, Praying that they may be impowered to make Sale of the said Lands which at present ly wast & unimproved The Petitioners having given sufficient Caution to the Judge of Probates to be answerable for such Estate of the said Minors as shall come into their Hands

Read &

Ordered that the Prayer of the Petition be Granted. [*Passed January 1.*

Legislative Records of the Council, xiii., 102.

House Journal, p. 100.

CHAPTER 442.

RESOLVE ALLOWING £70 TO REV. MR BENJAMIN WADSWORTH AND £1,000 TO THE CORPORATION OF HARVARD COLLEGE.

Resolved that the Sum of Seventy Pounds be allowed & paid out of the publick Treasury to the Revd Mr Benjamin Wadsworth President of Harvard College, W^ch with the Sum of One Hundred & fifty Pounds granted to the said Mr President Wadsworth the last Session of this Court, & the Sum of One Hundred & thirty nine Pounds, so much remaining in the Hands of the Corporation of the College, being for the Rent of Massachusets Hall for the first five Years, Exclusive of all Charges & Repairs thereon, together with the Sum of Forty one Pounds for the Rent of the said Massachusets Hall for the Year Currant; W^ch this Court do hereby appropriate & Order to be paid to the said Mr President Wadsworth, Making in the Whole the Sum of Four Hundred Pounds, The Court are of Opinion is a sufficient & honourable Support & Maintenance for him the said President for one Year:

And that the said Mr President Wadsworth may be further encouraged cheerfully to go through the momentous Affairs of his Office:

It is further

Resolved, & this Court do freely give grant & appropriate the future Annual Rents & Incomes of Massachusets Hall to him the said Mr President Wadsworth for & during the Time of his Continuance in the said Office towards his honourable Support & Maintenance: And whereas there is not at present any convenient House provided for the Reception & Entertainm^t of the President of the said College for ye Future, And the Court being willing & desireous to repeat their Intentions & Inclinations in all things for ye Prosperity of that Society, And that the same may flourish under the Divine Influence;

It is[1]

Resolved that the Sum of One Thousand Pounds be allowed & paid

Legislative Records of the Council, xiii., 103.

House Journal, pp. 99, 100. *Ante*, p. 619, chap. 115; p. 639, chap. 167.

[1] The House Journal here inserts the word, "also."

out of the publick Treasury to the Corporation of Harvard College, & by them to be forthwith used & disposed of for the Building & Finishing a handsom wooden Dwelling House, Barn, Out Housing &c, on some Part of ye Land adjacent & belonging to the said College; W^ch is for the Reception & Accomodation of the Rev^d the President of Harvard College for the Time being:

And it appearing by the Accompts rendered by the College Treasurer, That there has been Occasion to disburse very considerable Sums of Money the Year past out of the Incomes & Revenues of the said Colleges Estate, Partly to the Resident Fellows before the Election of Mr President Wadsworth, & other Charges occasioned for Repairing the Ways at Charlestown for the better Accomodation of Travellers Passing over the Ferry at Charles River, W^ch it is to be hoped there will not be the like Occasion of for the Future, The Corporation will be able to grant such Allowances out of their unappropriated Incomes & Revenues, which will in a great Measure support & maintain the Revd President, And this Court will not have Occasion to make such Draughts on the publick Treasury as they have done for the present Year for his Support & Maintenance, W^ch they have made for the afore said Reasons. [*Passed January 1.*

CHAPTER 443.

RESOLVE FOR ALLOWANCE TO Y^E CLERKS OF THE SUP^R COURT FOR VENIRES.

Legislative Records of the Council, xiii., 104.

House Journal, p. 92.

Resolved that His Majestys Justices of the Superiour Court of Judicature Court of Assize & General Goal Delivery be & hereby are fully Authorized Directed & Impowered from Time to Time to Certify to the Clerks of the several Courts of General Sessions of the Peace within this Province respectively of the Services which may be done by the Clerks of the said Superiour Court of Judicature &c for the Future in Issuing out Venires for the Choice of Jury Men respectively in Order to their being allowed One shilling & six pence for each Venire, That so the Justices of the Courts of General Sessions of the Peace may Order Payment thereof out of the County Treasurys accordingly, as well as any other necessary Charges. [*Passed January 1.*

CHAPTER 444.

RESOLVE ORDERING REMITTANCE OF £254. 18. 7 TO FRANCIS WILKS LONDON ON ACCT OF DISBURSEMENTS OF ELISHA COOK.

Legislative Records of the Council, xiii., 104.

House Journal, pp. 97, 98.

AN ACCOMPT presented by Elisha Cook Esqr of Disbursem^ts in his late Agency in London, Amounting to the Sum of £1,054. 18. 7 Sterling. Money of Great Britain, Moneys rec^d at sundry Times £800 Sterl. Ballance remaining due to the said Elisha Cook being £254. 18. 7 Sterling.

[Read Accepted and]

Resolved that Mr Treas^r Allen be directed & impowered to procure & remit to Mr Francis Wilks Merch^t in London as soon as may be a Sufficiency of such Effects, as he shall judge most for the publick Advantage as that the Nett Proceeds thereof may amount to the Sum of Two Hundred & fifty four Pounds eighteen shillings & seven pence

Sterling, to be by the said Wilks disposed of & paid according to the Orders & Directions he shall receive from Mr Agent Cook to discharge this Accompt. [*Passed January 1.*

CHAPTER 445.

RESOLVE ALLOWING 32/ TO ZERUB. SNOW.

Resolved that the Sum of Thirty two shillings be allowed & paid out of the publick Treasury to Zerubbabel Snow Junr of Reading for so much due for Wages for his Servants Service John Snow a Soldier born on Cpt. Blanchards Muster Roll, which was casually omitted. [*Passed January 1.*

Legislative Records of the Council, xiii., 104.

House Journal, p. 101.

CHAPTER 446.

RESOLVE ALLOWING 21/ 6 TO WESTWOOD COOK.

AN ACCOMPT presented by Mr Westwood Cook of the Subsistence of Soldiers passing from Suffield to Sunderland in Septemr last, Amounting to 21/ 6.

[Read and]

Resolved that the Sum of Twenty one shillings & six pence be allowed & paid out of the publick Treasury to the Accomptant Westwood Cook in full Discharge thereof. [*Passed January 1.*

Legislative Records of the Council, xiii., 105.

House Journal, p. 100.

CHAPTER 447.

RESOLVE ABOUT SNOW SHOOES &c.

IN AS MUCH as the Indian War is at an End before the Expiration of one Year from the Providing of Snow Shooes &c in & by a Resolve pass'd in December 1724.

Resolved that the said Snow Shooe Men be not entituled to the three shillings mention'd in ye Resolve for Keeping their Snow Shoes & Moggasons in good Repair fit for the Service one Year. [*Passed January 3.*

Legislative Records of the Council, xiii., 106.

House Journal, p. 103. *Ante*, p. 549, chap. 337.

CHAPTER 448.

ORDER ON PETITION OF JOHN VINTON OF STONEHAM IMPOWERING HIM TO SUMMON THE INHABITANTS OF THE TOWN.

A PETITION of John Vinton an Inhabitant of the Town of Stoneham[1] in Behalf of the Inhabitants of the said Town, Shewing that whereas He is impowered to call a Meeting there in March next & not before, They find it necessary to have a Meeting very speedily in Order to their Providing Timber & Plank for their Meeting House, Wch may be more easily procured in the Winter Season than any other, & likewise to agree with Work men, And therefore Praying that the Petitioner

Legislative Records of the Council, xiii., 106.

House Journal, p. 103. *Ante*, p. 717, chap. 395.

[1] The Secretary's copy, Legislative Records of the Council, xiii., 106, reads, "Stoughton."

or some other Person may be impowered to call a Meeting of ye Inhabitants of the said Town some time in January Curr^t^ for the End afore said.

Read &

Ordered that the Prayer of the Petition be granted, & that the Petitioner be directed & impowered to summon the Inhabitants of ye Town of Stonham to assemble. [*Passed January 3.*

CHAPTER 449.

RESOLVE ALLOWING £12. 2. 11 TO CPT. THO. BAKER.

Legislative Records of the Council, xiii., 106.

House Journal, p. 101.

Ante, p. 201, chap. 117.

A PETITION of Cpt. Thomas Baker Praying some further Allowance for his Time & Expences in a Journey to Canada in ye Service of the Governm^t^ in the Year 1721,[1] He having been allowed in Part already for that Service.

Read [accepted] &

Resolved that the Sum of Twelve Pounds two shillings & eleven pence be allowed & paid out of the publick Treasury to the Memorialist Cpt. Thomas Baker in full Satisfaction of his Services & Expences mention'd therein. [*Passed January 3.*

CHAPTER 450.

RESOLVE ALLOWING £400 TO ELISHA COOK ESQ^R^.

Legislative Records of the Council, xiii., 107.

House Journal, p. 100.

Resolved that the Sum of Four Hundred Pounds be allowed & paid out of the publick Treasury to Elisha Cook Esqr in full for his Service & Time in the Agency.[2] [*Passed January 5.*

CHAPTER 451.

RESOLVE ALLOWING £450 TO THE LIEUT. GOVERN^R^.

Legislative Records of the Council, xiii., 108.

House Journal, p. 104.

Resolved that the Sum of Four Hundred and fifty Pounds be allowed & paid out of the publick Treasury to His Honour William Dummer Esqr Lieuten^t^ Governour & Commander in Chief of this His Majestys Province for his Support, To enable him to manage the Affairs of the Government. [*Passed January 5.*

CHAPTER 452.

RESOLVE ALLOWING £140 TO THE SECRETARY AND A FURTHER ALLOWANCE OF £60.

Legislative Records of the Council, xiii., 108.

Resolved that the Sum of One Hundred & forty Pounds be allowed & paid out of the publick Treasury to Josiah Willard Esqr Secretary of this Province for his extraordinary Service the Year past, And

[1] *Ante*, p. 201, chap. 117 says, "in April last," which means 1722, not 1721.
[2] *Quære*, of the Province, in England?

that the further Sum of Sixty Pounds be allowed & paid out of the publick Treasury to the said Josiah Willard Esqr in Consideration of the publick Affairs at this Time calling for sundry things to pass that Office necessarily Reguiring from him a more strict Attendance to effect those Matters, Many of which have no stated Fee or Allowance. [*Passed January 5.*

House Journal, pp. 104, 105.

CHAPTER 453.

RESOLVE ALLOWING £10 TO THE CHAPLAIN OF THE HOUSE.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Mr Ezekiel Lewis to be by him paid to the Revd Mr Thomas Prince, who has officiated as Chaplain to the House the Year past, with the Thanks of ye House for his said Service. [*Passed January 5.*

Legislative Records of the Council, xiii., 108.

House Journal, p. 105.

CHAPTER 454.

RESOLVE ALLOWING £10 TO Y^E CHAPLAINS OF Y^E BOARD.

Resolved that the Sum of Ten Pounds be allowed & paid out of the publick Treasury to Thomas Hutchinson Esqr for the Use of the Revd Chaplains[1] of the Honble Board for their Service the Year past.[2] [*Passed January 5.*

Legislative Records of the Council, xiii., 108.

House Journal, p. 105.

CHAPTER 455.

RESOLVE ALLOWING £40 TO Y^E CLERK OF THE HOUSE.

Resolved that the Sum of Forty Pounds be allowed & paid out of the publick Treasury to John Wainwright Esqr Clerk of the House for his Service the Year Currant. [*Passed January 5.*

Legislative Records of the Council, xiii., 108.

House Journal, p. 105. *Infra*, chap. 456.

CHAPTER 456.

RESOLVE ALLOWING £20 (SECOND ALLOWANCE) TO THE CLERK OF THE HOUSE.

Resolved that the Sum of Twenty Pounds be allowed & paid out of ye publick Treasury to John Wainwright Esqr Clerk of the House for his Trouble in Preparing the Votes for the Press. [*Passed January 5.*

Legislative Records of the Council, xiii., 108.

House Journal, p. 105. *Supra*, chap. 455.

[1] The House Journal reads, "Chaplain of the Honourable Board, for his Service," &c.

[2] Under date of January 17, Legislative Records of the Council, xiii., 118, the foregoing is repeated, except that the singular number is used — "Chaplain" and "his Service," as in the House Journal record of the text. But one payment is entered in the Executive Records of the Council (viii., 353), and that is dated January 15, 1725.

CHAPTER 457.

RESOLVE ALLOWING £40 TO RICHARD HUBBARD DOORKEEPR.

Legislative Records of the Council, xiii., 108.

House Journal, p. 105.

Resolved that the Sum of Forty Pounds be allowed and paid out of the publick Treasury to Mr Richard Hubbard Door Keeper to this Court for Half a Year, Wch will determine the 19th of Febry next. [*Passed January 5.*

CHAPTER 458.

RESOLVE ALLOWING £50. 2. 6 TO REBBECCA HOLMES.

Legislative Records of the Council, xiii., 108.

House Journal, p. 104.

AN ACCOMPT presented by Rebecca Holmes for Entertaining the Commissioners for the Indian Treaty, the Committees of the House for Muster Rolls Petitions &c, Amounting to the Sum of £50. 2. 6.

[Read and]

Resolved that the Sum of Fifty Pounds two shillings & six pence be allowed & paid out of the publick Treasury to the Accomptant Rebecca Holmes in full Discharge thereof. [*Passed January 5.*

CHAPTER 459.

RESOLVE ALLOWING LIEUTENANTS PAY TO THE COMMANDING OFFICER AT FORT DUMMER.

Legislative Records of the Council, xiii., 109.

Legislative Records of the Council, xiii., 109. House Journal, p. 105.

UPON READING His Honours Message[1] this Morning respecting the Officer at Fort Dummer, & the House taking the same into Consideration;

Resolved that Lieutenants Pay be allowed to ye Commanding Officer at Fort Dummer until the Sitting of this Court in their May Session. [*Passed January 5.*

CHAPTER 460.

RESOLVE ALLOWING £30 TO THE CHILDREN OF PRESIDENT LEVERETT.

Legislative Records of the Council, xiii., 109.

House Journal, p. 105.

Resolved that the Sum of Thirty Pounds be allowed & paid out of the publick Treasury to Nathaniel Byfield Esqr as he is Attorney to the Children & Heirs of the late President Leveret, And is for nine Months Rent of the said Mr President Leverets Mansion House & Homestead &c at Cambridge, Hired by a Committee of this Court in their last Session. [*Passed January 5.*

[1] The following is the message referred to: —

"GENTLEMEN of the House of Representtves PURSUANT to your Desires I have given Orders for the Reduction of the Forces; But notwithstanding the Submission of the Eastern Indians, the Western Frontiers may be greatly annoyed by Maseesqueeg or Seatacook Indians, whom We have not seen since the Overtures of Peace; And therefore it is needful that a more prudent & discreet Person should have the Command at Fort Dummer, than can be obtained for Sergeants Pay: I therefore think it will be for the publick Service, that Lieutenants Pay be allowed to the Commander of that Garrison (Who is the only Officer in the Western Frontiers,) Who is a very able Person & fit for that difficult Post." — Legislative Records of the Council, xiii., 109.

CHAPTER 461.

RESOLVE ALLOWING £40 ADDITIONAL TO THE TREAS^R.

Legislative Records of the Council, xiii., 111.

Resolved that the Sum of Forty Pounds be allowed & paid out of the publick Treasury to Jeremiah Allen Esqr Treasurer & Receiver General of this Province for his extraordinary Service therein this present Year. [*Passed January 7.*

House Journal, p. 105. *Ante*, p. 644, chap. 184.

CHAPTER 462.

RESOLVE ALLOWING £8 TO JONATH. RAYMENT.

A PETITION of Jonathan Rayment of Beverly, Shewing that in the Year 1721, he prosecuted one Nicholas Halloway of Lyn in Behalf of our Sovereign Lord the King for Altering & Increasing two Fifteen Peny Bills of Credit to Fifteen shilling Bills, That the said Halloway was convicted thereof at the Court of Assize for the County of Essex Held in October 1721, And that the Petitioner was at great Pains & Cost in the said Prosecution, & could never obtain any thing from the said Halloway, Praying some Allowance out of the publick Treasury.

Legislative Records of the Council, xiii., 112.

House Journal, p. 108.

Read &

Resolved in Answer to this Petition That the Sum of Eight Pounds, be allowed & paid out of the publick Treasury to Mr Jonathan Rayment in Satisfaction of the Services therein mentioned. [*Passed January 14.*

CHAPTER 463.

ORDER GRANTING THE PETITION OF Y^E INHAB^TS OF MARBLEHEAD REFERRING TO THE HERRING FISHERY.

A PETITION of Nathaniel Norden Esqr & Mr John Oulton & a great Number of other Persons in Marblehead concerned in the Fishery there, Praying that this Court would take some effectual Means for the speedy Prevention of the great Destruction of the Herring at Cape Cod by the Peoples taking great Numbers of the said Fish with Seins & suffering them to rot on the Ground.

Legislative Records of the Council, xiii., 112.

House Journal, p. 108. Province Laws, ii., 426, chap. 10.

Read &

Ordered that the Prayer of the Petition be granted, and that the Petitioner Oulton have Leave to bring in a Bill accordingly. [*Passed January 14.*

CHAPTER 464.

RESOLVE ALLOWING PAYMENT OF THE MUSTER ROLL OF SLOOP SEA-FLOWER.

A MUSTER ROLL of the Sloop Sea Flower (a Transport, in the Service of this Governm^t) Simon Slocum Master, Containing an Accompt of Wages due to the said Master & Company & Hire of the said Sloop from Sept. 3^d to Jany 4. 1725, Amounting to the Sum of £160. 0. 3.

Legislative Records of the Council, xiii., 112.

House Journal, p. 109. *Ante*, p. 730, chap. 439.

[Read Accepted and]

Resolved that the Sum of One Hundred & sixty Pounds & three pence be allowed & paid out of the publick Treasury to the said Simon Slocum, to be by him paid to whom the same is due in full Discharge of the Wages & Sloop Hire thereof. [*Passed January 15.*

CHAPTER 465.

RESOLVE ALLOWING £15 TO JOHN WAINWRIGHT.

Legislative Records of the Council, xiii., 113.

House Journal, p. 110. *Post*, p. 739, chap. 470.

Resolved that the Sum of Fifteen Pounds be allowed & paid out of the publick Treasury to John Wainwright Esq[r] Clerk of the House to be by him repaid to the Expresses that went to summon the absent Members of the Court to attend their Duty. [*Passed January 15.*

CHAPTER 466.

RESOLVE ALLOWING 40/ TO JAC. HOLMES.

Legislative Records of the Council, xiii., 113.

House Journal, p. 109.

A PETITION of Jacob Holmes of Worcester Praying to be reimbursed the Sum of Forty shillings out of the publick Treasury for so much paid to Benjamin Townsend for Going Express from Worcester to Westfield.

Read &

Resolved that the Sum of Forty shillings be allowed & paid out of the publick Treasury to the Petitioner Jacob Holmes in full Discharge thereof. [*Passed January 15.*

CHAPTER 467.

VOTE FOR ACCEPTING Y[E] EXPLANATORY CHARTER.

Legislative Records of the Council, xiii., 113.

Mass. Archives, xx., 248; lii., 300. Legislative Records of the Council, xiii., 79, 80. House Journal, p. 111.

WHEREAS His Honour the Lieutenant Governour hath laid before this Court in their present Session for their Acceptance an Explanatory Charter received from His Grace the Duke of Newcastle with a Copy of His Majestys Order in Council concerning the same, Wherein His Majesty has been pleased to confirm the Charter granted by their late Majestys King William & Queen Mary, In w[ch] former Charter there being no express Mention made relating to the Choice of a Speaker & the Houses Power of Adjourning, As to both which Points in the said Explanatory Charter His Majesty has been pleased to give particular Directions;

WE His Majesties loyal & dutiful Subjects being very desireous to signalize our Duty & Obedience w[ch] We at all Times ow to His most Excellent Majesty, Have & Do hereby Accept of the said Explanatory Charter, & shall Act in Conformity thereto for the Future, Not Doubting but that We shall thereby Recommend His Majestys Loyal & Dutiful Subjects the Inhabitants of this Province to his further most gracious Favour & Protection. [*Passed January 15.*

CHAPTER 468.

RESOLVE ALLOWING 20/ TO MR SAMLL GRANGER.

Resolved that the Sum of Twenty shillings be allowed & paid out of the publick Treasury to Mr Samuel Grainger for Writing in the Service of the House. [*Passed January 17.*

Legislative Records of the Council, xiii., 114.

House Journal, p. 112.

CHAPTER 469.

RESOLVE ALLOWING £800 TO MR AGENT DUMMER.

Resolved that the Sum of Eight Hundred Pounds be allowed & paid out of the publick Treasury to Jeremiah Dummer Esqr Agent for this Province at the Court of Great Britain for his past Service & further to enable him to Negotiate the Affairs of the Province. [*Passed January 17.*

Legislative Records of the Council, xiii., 114.

House Journal, p. 112.

CHAPTER 470.

RESOLVE ALLOWING 40/ TO MESSRS ROLFE & WARREN.

Resolved that the Sum of Forty shillings be allowed & paid out of the publick Treasury to Cpt. Henry Rolfe & Cpt. Benjamin Warren in full for their Time & Service in Going Express Eastward & Westward to summon in ye absent Members of ye Court to their Duty. [*Passed January 17.*

Legislative Records of the Council, xiii., 114.

House Journal, p. 112.
Ante, p. 738, chap. 465.

CHAPTER 471.

RESOLVE ON ACCT OF SELLING OF PROVINCE LAND NEAR OXFORD &c.

AN ACCOMPT presented by William Dudley Esqr in Behalf of a Committee appointed to sell a Tract of Province Land between the Towns of Oxford Leicester & Brookfield, of the Produce of the said Land, Amounting to the Sum of £516. 8 Commtees Expence £45. 8 Ballance paid to the Treasurer as by his Receipt, £471.

Read & Accepted &

Resolved that the Committee the Accomptants be & hereby are discharged from the said Sum of Five Hundred & sixteen Pounds eight shillings accordingly. [*Passed January 17.*

Legislative Records of the Council, xiii., 114.

House Journal, p. 92.
Province Laws, ix., 681, chap. 81.

CHAPTER 472.

ORDER ON COMMTEES REPORT ON PENYCOOK AFFAIR.

NATHANIEL BYFIELD ESQR from the Committee of both Houses on the Petition of Benjamin Stevens & others Praying for a Grant of Land at Penicook gave in the following Report; Viz,

Legislative Records of the Council, xiii., 115.

Legislative Records of the Council, xii., 134; xiii., 89, 92, 99, 110 *bis*. House Journal, p. 12 (June, 1721); pp. 27, 53 (June, 1722); p. 62 (Dec., 1723); p. 55 (June, 1724); p. 51 (June, 1725); pp. 80, 107, 112, 113.

THE Committee appointed to consider what is proper for this Court to do on the Petition of Benjamin Stevens & others are humbly of Opinion That it will be for the Interest & Advantage of this Province that Part of the Lands petitioned for by the said Benjamin Stevens & Company be assign'd & set a part for a Township, Provided the same be done in a good regular & defensible Manner, to contain seven Miles square, & to begin where Contacook River falls into Merimack River, & thence to extend upon a Course East seventeen Degrees North three Miles, & upon a Course West seventeen Degrees South four Miles, to be the Northerly Bounds of the said Township, & from the extream Parts of that Line to be set off Southerly at Right Angles until seven Miles shall be accomplished from the said North Bounds; And that the Petitioners may be encouraged & fully impowered to prosecute their intended Settlements;

Ordered that the Honble William Tailer Esqr Elisha Cook Esqr Spencer Phips Esqr William Dudley Esqr John Wainwright Esqr Capt. John Shipley, Mr John Saunders, Eleazar Tyng Esqr & Mr Joseph Wilder (any five of whom to be a Quorum) be a Committee to take special Care that the following Rules & Conditions be punctually observed & kept by all such as shall be admitted to bring forward the proposed Settlements; Namely,

That the aforesaid Tract of Land be allotted & divided into One Hundred & three equal Parts & Shares as to Quantity & Quality & that One Hundred Persons & Familys, such only as in the Judgement of the Committee shall be able to pursue & bring to pass their several Settlements on the said Lands within the Space of three Years at furthest from the first Day of June next,

That each & every intended Settler to whom a Lot with the Rights & Privileges thereto be assign'd shall Pay into the Hands of the Committee for the Use of the Province the Sum of Five Pounds, & be obliged to build a good Dwelling House fit comfortably to receive & entertain a Family who shall inhabit the same, & also break up & fence in six Acres of Land for their House Lot within the Term afore said, And that the first fifty Settlements shall be begun & perfected on the East Side of the said River Merrimack, & the several Houses shall be erected on their Home Lots not above twenty Rods the one from the other where the Land will possibly admit of it in the most regular Manner the Committee in their best Prudence can project & order; The Houses & Home Lots on each Side the River to be alike subjected to the above mentioned Conditions; That a convenient House for the publick Worship of God be compleatly finished within the Term afore said for the Accomodation of all such as shall inhabit the afore said Tract of Land upon such Part thereof as shall be Agreed on by the afore said Committee for the Ease of the Community; And that there shall be reserved allotted & laid out for the first Minister that shall be lawfully settled among them one full Right Share & Proportion of & in the afore said Tract of Land with all the Rights & Privileges belonging thereto, his Home Lot next adjoining to the Land whereon the Meeting House shall stand, one other full Right Share & Proportion of & in the afore said Tract of Land to be appropriated for the Use of the School for ever, & one other Ministerial Lot of equal Value with the Rest, the Home Lot appertaining thereto affixed near to the Meeting House; And for the better enabling the intended Settlers to perfect what they are hereby enjoined & impowering them to remove all such Letts & Impediments as they may meet with in the Progress of their lawful Undertaking, That when & so soon as there shall be one Hundred Persons accepted & allowed by the Committee to go and improve those Lands for the Ends & Uses above specified upon Appli-

cation made to the above said Committee, It shall & may be lawful for them to Notify the Undertakers to meet at some convenient Time & Place, they being seasonably Notified of such Meeting; Who, when assembled shall make such necessary Rules & Orders as to them shall be thought most conducible for Carrying forward & Effecting the afore said Settlements, Provided that three fourth Parts of ye Persons present at such Meeting are consenting to what Rules or Orders shall be then proposed & agreed on, two or more of the Committee to be present at such Meeting; Who shall enter into a fair Book to be kept for that Purpose all such Rules Orders & Directions Agreed on as afore said, & give out Copys thereof when required.

The whole Charge of the Committee to be paid by the Settlers And that when they shall have performed the Conditions above expressed, Provided it be within the Space of three Years as before limited, That then the said Committee for & in Behalf of this Court execute good & sufficient Deeds & Conveyances in the Law to all such Settlers for the afore said Tract of Land with all the Rights, Members, Profits, Privileges & Immunities thereon standing, growing or being for the sole Use of them their Heirs & Assigns for ever, with a Saving of all or any former Grant or Grants.

(Sign'd) In the Name of ye Comm^tee NATH^LL BYFIELD.

Read &

Ordered that this Report be Accepted. [*Passed January 17.*

CHAPTER 473.

RESOLVE ALLOWING £7 TO MICH. GILSON.

A PETITION of Michael Gilson Shewing that he served as a Soldier under Lieut. Jabez Fairbanks from June 13th to Aug. 19th 1724, for which he has received no Wages being casually left out of the Muster Roll of that Company, Praying an Order of this Court for his Pay & Subsistence.

Legislative Records of the Council, xiii., 116.

House Journal, p. 111.

Read &

Resolved that the Sum of Seven Pounds be allowed & paid out of the publick Treasury to Eleazar Tyng Esqr to be by him paid to the Petitioner Michael Gilson in full for Wages & Subsistence as within mentioned. [*Passed January 17.*

CHAPTER 474.

RESOLVE ALLOWING PAYMENT OF CPT. JOS. KELLOGS MUSTER ROLL.

A MUSTER ROLL of the Company in His Majestys Service Westward under the Command of Cpt. Joseph Kellog Containing an Accompt of Wages due to them for their Service from Novem^r 17. to Jany 5. 1725, together with Subsistence for the said Time, Amounting to the Sum of £375. 5. 7.

Legislative Records of the Council, xiii., 117. Mass. Archives, xci., 242.

Mass. Archives, xci., 240, 241.

Read and

Resolved That the Sum of Three Hundred seventy Five pounds, five shillings and seven pence be allowed and paid out of the publick Treasury to Capt Thomas Wells to be by him paid to the persons born on the said Roll, and those that Subsisted them in full discharge of the Wages & subsistence thereof. [*Passed January 17.*

House Journal, p. 111.

CHAPTER 475.

RESOLVE ALLOWING 32/ TO AME PRINTER JUN^R.

Legislative Records of the Council, xiii., 117.

House Journal, p. 98.

A PETITION of Ame Printer Junr Praying to be allowed Thirty two shillings which was struck off from his Wages in Cpt. Willards Muster Roll, W^ch was by Mistake & upon Account of his Father Ame Printers being born on Cpt Whites Muster Roll the same eight Days he was born on Cpt. Willards.

Read &

Resolved that the Sum of Thirty two shillings be allowed & paid out of the publick Treasury to Cpt. Samuel Willard to be by him paid to the Memorialist Ame Printer Junr in full for the eight Days Service within mentioned. [*Passed January 17.*

CHAPTER 476.

RESOLVE ALLOWING 20/ TO JOHN BLANCHARD.

Legislative Records of the Council, xiii., 118.

House Journal, p. 110.

Resolved that the Sum of Twenty shillings be allowed & paid out of the publick Treasury to John Blanchard in full for his Time & Expence in Summoning some of the absent Members[1] to their Duty. [*Passed January 17.*

CHAPTER 477.

RESOLVE ALLOWING £3. 9 TO W^M YOUNG.

Legislative Records of the Council, xiii., 118.

House Journal, p. 50.

AN ACCOMPT presented by William Young of Work by him done at the Govern^rs House in ye Year 1724, Amounting to the Sum of £3. 9.

[Read and]

Resolved that the Sum of Three Pounds nine shillings be allowed & paid out of the publick Treasury to the Accomptant William Young in full Discharge thereof. [*Passed January 17.*

CHAPTER 478.

RESOLVE ALLOWING PAYMENT OF CPT. RICH^D BOURNS MUSTER ROLL.

Legislative Records of the Council, xiii., 118.

House Journal, p. 54.

A MUSTER ROLL of the Company in His Majestys Service Eastward under the Command of Cpt. Richard Bourn, Containing an Accompt of Wages due to them for their Service from the 21st of Novem^r 1724, to the 11th of May 1725, Amounting to the Sum of £228. 5.

[Read and]

Resolved that the Sum of Two Hundred & twenty eight Pounds five shillings be allowed & paid out of the publick Treasury to the Officers & Soldiers born on the within Roll to whom the same is due in full Discharge thereof. [*Passed January 17.*

[1] Of the legislature. Compare *ante*, p. 737, chap. 465; p. 739, chap. 470.

CHAPTER 479.

ORDER ON SUFFIELD PETITION PRAYING AN ASSIGNMENT OF LAND IN COMPENSATION FOR LAND CUT OFF IN SETTLING THE CONNECTICUT LINE.

A PETITION of the Proprietors of the Town of Suffield, Praying that this Court would assign them an Equivalent in the Unappropriated Lands in Consideration of the Lands taken off from their Township by Settling the Divisional Line between this Province & the Colony of Connecticut.

Legislative Records of the Council, xiii., 60, 118.

Read &

Ordered that John Chandler Esqr Mr John Brown of Mendon & Cpt. William Ward (or any two of them) be a Committee at the Charge of the Town of Suffield to repair to the Lands said to be taken off from the said Town in Running the Line between this Province & the Colony of Connecticut, view the same & fully consider the Nature & Quality thereof, & make Report what they think proper for an Equivalent for Eight Hundred & sixty eight Acres of Land, So much there appears to be less in that Township than there should be by the Grant thereof, W^ch^ Equivalent is to be taken up of the Province Lands on the Westerly Side of Connecticut River, The Report to be made to this Court as soon as may be. [*Passed January 17.*

House Journal, p. 49 (June); p. 36 (Nov.); pp. 49, 52. Province Laws, ix., 328, chap. 136.

RESOLVES, ORDERS, VOTES, ETC.

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON, ON THE THIRTEENTH DAY OF APRIL, A.D. 1726.[1]

CHAPTER 480.

ORDER ON JOHN STEWARDS PETITION IN REGARD TO A JUDGMENT OBTAINED BY HIM, THE TIME FOR EXECUTION HAVING PASSED BY FAULT OF THE OPPOSITE PARTY.

Legislative Records of the Council, xiii., 121.

A PETITION of John Steward of Rowley, Shewing that at the Infer^r Court of Common Pleas held at Newbury for the County of Essex in September 1715, He brought his Action against his Brother, Eben^r Steward for the Sum of Twenty Pounds for his not performing Articles of Agreement made between them respecting ye Maintenance of their aged Parents, And recovered Judgm^t From which the Said Ebenezer Appealed to the Next Superiour Court for the Said County, And gave Bond to prosecute his Said Appeal, but never filed his Reasons, And the Petitioner would have made his Complaint to the Said Court for his Brothers not filing his Reasons according to Law, But by Reasons of his Brothers fair Promises he Neglected it till the Time was elapsed for his Complaint and for taking out Execution, and therefore praying that the Said Ebenezer Steward may be allowed and impowered if he Sees Cause to file his Reasons of appeal and have a Tryal at the Next Superiour Court for ye Said County Or that the Petitioner in Case of Neglect of the S^d Ebenez^r Steward may be allowed to take out Execution on ye Judgment or that he may be otherwise relieved as this Court Shall Se meet.

Read &

Ordered that Ebenezer Steward the Adverse party have full Liberty and Power to bring forward an Appeal to the Next Superiour Court of Judicature to be holden at Ipswich for the County of Essex from a Judgment of the Inferiour Court of Common Pleas held at Newbury for the County of Essex afores^d on the last Thursday of Septem^r 1715. At the Suit of John Steward the Petitioner And in Case the S^d Ebenezer Steward Neglects or refuses to bring forward his Said Appeal, Then the Said John Steward have full power to file his Complaint against the Said Ebenezer Steward according to the Direction of the Law, Provided the Petitioner notifie the Said Ebenezer Steward by leaving a Copy of this Order Twenty Days at least before the Sitting of the Said Superiour Court And the Justices of the Said Superiour Court are hereby directed and impowered to hear and Determine as well the Appeal of y^e of y^e[2] Said Ebenezer Steward, and to Channeer the Bond Sued on to the Just Damage in Case an Appeal be brought on, as the Complaint of the Said John Steward in Case of non Prosecution Aaward[2] Execution Accordingly. [*Passed April 14.*

[1] No records of the House Journal for this session have been found.
[2] *Sic.*

CHAPTER 481.

ORDER ON COMMITTEES REPORT ON Y^E L^T GOV^RS SPEACH.

THE COMMITTEE appointed to take under Consideration ye Subject matter of his Honours Speech[1] are humbly of Oppinion That the Sum of Five Hundred Pounds, Part of the Fourteen Hundred Pounds Ordered by this Court in their last Session to be invested in proper Goods for the Supply of the Eastern Indians, be Sent to Capt. Joseph Heath the Commanding Officer of the Fort at Richmond, to be by him delivered out to any Indian or Indians, that may come to that place for Supplys according to Such Rules and Directions as Shall be given him by the Treasurer In Conformity to the Resolves of this Court for the Disposition of the Fourteen Hundred Pounds Aforesaid.

Signed By Order of the Com^tee NATH^L BYFIELD

Read & Accepted, Provided that the Sending the Said Five Hundred Pounds to Richmond Fort Shall not be construed or Understood to establish ye Said Fort at Richmond to be aplace[2] design'd for a Truck House. [*Passed April 14.*

Legislative Records of the Council, xiii., 122.

Legislative Records of the Council, xiii., 120. *Ante*, p. 707, chap. 366; p. 727, chap. 427.

CHAPTER 482.

RESOLVE ALLOWING £22. 12. 5 TO JOS. YOUNG.

AN ACCOMPT presented by Joseph Young Master of the Sloop Dolphin taken up for his Majesties Service Eastward of Wages and Sloop from March 21 to April 12 1726 amounting to £22. 3. 5.

[Read and]

Resolved that the Sum of Twenty Two Pounds twelve Shillings and Five Pence be allow'd and paid out of the publick Treasury to the Said Joseph Young to be by him paid to whom it is due in full Discharge of the Wages & Sloop Hire thereof. [*Passed April 14.*

Legislative Records of the Council, xiii., 122.

CHAPTER 483.

RESOLVE ALLOWING £9. 2. 6 TO SAM^LL TYLEY.

AN ACCOMPT presented by Mr Samuel Tyley of Writing done for the Publick, amounting to the Sum of £9. 2. 6.

[Read and]

Resolved That the Sum of Nine Pounds Two Shillings and Six

Legislative Records of the Council, xiii., 123.

[1] The Lieut.-Governor said: —

"I lately receiv'd Letters from the Indians which I think proper to be Communicated to you; By them you will perceive ye French (as they used to do) have been early at work by false Suggestions & perverse Interpretations of the Treaty to disaffect and perplex them: Wherefore Since the Trade for Supplying the Indians is justly esteemed the Basis of the Peace & the only Sure Ty we can have upon them, I now earnestly recommend to you a further Consideration thereof, That it may be Speedily established and extended, so as to accomodate & effectually engage all the other Tribes as well as those of Penobscot, which being done fourthwith, will not only tend to remove any ill Impressions that have been made on them, but prevent other Mischiefs from Such necessitous Indians as are every Day expected to come down Kenebeck River and thereabouts." — Legislative Records of the Council, xiii., 120.

[2] Run together in the MS.

pence be allow'd and paid out of the publick Treasury to Mr Samuel Tyley the Accomptant in full Discharge of the Said Accot. [*Passed April 14.*

CHAPTER 484.

ORDER ON MARY FLACKS PETITION IN REGARD TO THE PROCEEDS OF THE SALE OF LAND.

Legislative Records of the Council, xiii., 123.

Ante, p. 659, chap. 231.

Ordered that the Money to be produced by the Sale of the Land abovementioned[1] be put into the Hands of the Petitionr Mary Flack to be by her improved for the Benefit of the Orphan Mary Heddabal the Said Mary Flack having already advanced a Considerable Sum for the Maintenance of the Said Orphan, and being liable to further Charge, And Mr Thomas Cushing refusing to act herein. [*Passed April 14.*

[1] In the petition. *Ante*, p. 659, chap. 231.

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